

Chapter Ag 26

CERTIFIED SEED POTATOES

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Ag 26.01 Definitions. (1) "Department" means the state of Wisconsin department of agriculture, trade and consumer protection.

(2) "Certified seed potatoes" means seed potatoes which have been inspected and certified by the college as having been produced under and meeting field and bin inspection standards and requirements under this chapter and which have been graded and certified by the department as being of a grade specified in this chapter.

(3) "College" means the college of agricultural and life sciences of the university of Wisconsin.

(4) "Damage" means any injury or defect which materially injures the edible or shipping quality, or the appearance of the individual potato or the general appearance of the potatoes in the container, or which cannot be removed without a loss of more than 5% of the total weight of the potato including peel covering defective area. Any one of the following defects or any combination of defects the seriousness of which exceed the maximum allowed for any one defect shall be considered as damage:

(a) Second growth or growth cracks which have developed to such an extent as to materially injure the appearance of the individual potato or the general appearance of the potatoes in the container.

(b) Air cracks which are deep, or shallow air cracks which materially injure the appearance of the individual potato or the general appearance of the potatoes in the container.

(c) External discoloration, when skinned areas on individual potatoes are materially affected by dark discoloration, or when the general appearance of the lot is materially affected in discoloration.

(d) Shriveling, when the potato is more than moderately shriveled, spongy or flabby.

(e) Sprouting, when more than 10% of the potatoes have sprouts over three-fourths of an inch long.

(f) Surface scab which covers an area of more than 5% of the surface of the potato in the aggregate.

(g) Pitted scab which affects the appearance of the potato to a greater extent than the amount of surface scab permitted or causes a loss of more than 5% of the total weight of the potato including peel covering defective area.

(h) Rhizoctonia, when the general appearance of the potatoes in the container is materially injured or when individual potatoes are badly infected.

(i) Wireworm, grass root or similar injury, when any hole, on potatoes ranging in size from 6 to 8 ounces, is longer than three-fourths of an inch or when the aggregate length of all holes is more than 1¼ inches. Smaller potatoes shall have lesser amounts and larger potatoes may have greater amounts, provided that the removal of the injury by proper trimming does not cause the appearance of such potatoes to be injured to a greater extent than that caused by the proper trimming of such injury permitted on a 6 to 8 ounce potato.

(j) Dirt, when the general appearance of the potatoes in the container is more than slightly dirty or stained, or when individual potatoes are badly caked with dirt or badly stained; or other foreign matter which materially affects the appearance of the potatoes.

(5) "Diameter" means the greatest dimension at right angles to the longitudinal axis. The long axis shall be used without regard to the position of the stem (rhizome).

(6) "Fairly well shaped" means that the appearance of the individual potato or the general appearance of the potatoes in the container is not materially injured by pointed, dumbbell-shaped or otherwise ill-formed potatoes.

(7) "Foundation seed" means seed potatoes which have been certified as Badger State Brand Foundation seed potatoes, Yellow Tag Grade Foundation seed potatoes or Elite Foundation seed potatoes.

(8) "Internal discoloration" means discoloration such as is caused by net necrosis or any other type of necrosis, stem-end browning, internal brown spot, or other similar types of discoloration not visible externally, except blackheart.

(9) "Person" means individuals, partnerships, corporations, associations, and any other business organization or entity.

(10) "Seed certification agency" means the department in cooperation with the college.

(11) "Serious damage" means any injury or defect which seriously injures the edible or shipping quality, or the appearance of the individual potato or the general appearance of the potatoes in the container, or which cannot be removed without a loss of more than 10% of the total weight of the potato including peel covering defective area. Any one of the following defects or any combination of defects the seriousness of which exceeds the maximum allowed for any one defect shall be considered as serious damage:

(a) Dirt, when the general appearance of the potatoes in the container is seriously affected by tubers badly caked with dirt; or other foreign matter which seriously affects the appearance of the potatoes.

(b) External discoloration, when skinned areas on individual potatoes are seriously affected by very dark discoloration, or when the general appearance of the lot is seriously affected by discoloration.

(c) Fairly smooth cuts such as are made by the digger or by a knife to remove injury, when both ends are clipped, or when more than an estimated one-fourth of the potato is cut away, or, in the case of long varieties, when the remaining portion of the clipped potato weighs less than 6 ounces. Irregular types of cuts which seriously affect the appearance of the individual potato, or which cannot be removed without a loss of more than 10% of the total weight of the potato including peel covering defective area.

(d) Shriveling, when the potato is excessively shriveled, spongy, or flabby.

(e) Surface scab which covers an area of more than 50% of the surface of the potato in the aggregate.

(f) Pitted scab which affects the appearance of the potato to a greater extent than the amount of surface scab permitted or causes a loss of more than 10% of the total weight of the potato including peel covering defective area.

(g) Wireworm, grass root or similar injury, when any hole, on potatoes ranging in size from 6 to 8 ounces, is longer than 1¼ inches or when the aggregate length of all holes is more than 2 inches. Smaller potatoes shall have lesser amounts and larger potatoes may have greater amounts, provided that the removal of the injury by proper trimming does not cause the appearance of such potatoes to be injured to a greater extent than that caused by the proper trimming of such injury permitted on a 6 to 8 ounce potato.

(h) Sunburn, when more than one-third of the surface of the potato shows green color.

(12) "Soft rot or wet breakdown" means any soft, mushy, or leaky condition of the tissue such as slimy soft rot, leak, or wet breakdown following freezing injury or sunscald.

History: 1-2-56; am. (1), (2), (3), (5), (7), (8), (9), Register, September, 1957, No. 21, eff. 10-1-57; cr. (h), Register, January, 1961, No. 61, eff. 2-1-61; am. (3), Register, August, 1962, No. 80, eff. 9-1-62; am. (1) and (2), renum. (3) to (9) to be (6) to (12), cr. (3), (4) and (6), Register, January, 1976, No. 241, eff. 2-1-76; am. (1), Register, April, 1978, No. 268, eff. 5-1-78; renum. (6) to be Ag 26.04 (1), renum. (2) to (5), (7), (9) to (12) to be (3), (10), (2), (9), (12), (5), (6), (4) and (11) respectively, am. (2) and (9), cr. (7), Register, October, 1981, No. 310, eff. 11-1-81.

Ag 26.02 Inspection and certification. (1) **FIELD AND BIN INSPECTION; GRADING INSPECTION.** (a) No potatoes may be sold or represented as certified seed potatoes unless they have been officially inspected by the seed certification agency and inspection certificates or reports have been issued showing that they have been produced under and met field and bin inspection standards and requirements, and conform to all other certification standards and requirements as provided in this chapter, including grade standards for the grade under which the seed is to be sold.

(b) Field and bin inspections shall be made by the college and grading inspections by the department. No grading inspection shall be made or grading certificates issued by the department until both a field inspection and separate bin inspection certificate or report have first been issued by the college.

(2) **ISSUANCE OF CERTIFICATES.** Field and bin and grading inspections and certifications or reports shall be based upon visual inspections of

fields, bins, plants and tubers in accordance with standards, procedures, and tolerances specified in ss. Ag 26.03 and 26.04. In the issuance of inspection certificates or reports, neither the department nor the college make any express or implied warranties or representations as to freedom from disease or quality of the certified seed, but certifies only that at the time of inspection the sample plants and tubers of each lot inspected conform to standards and tolerances for certified seed or certified seed of a particular grade under this chapter.

(3) **PROHIBITIONS AND EXCEPTIONS.** (a) No person may sell, offer for sale, have in possession with intent to sell, advertise, label or otherwise represent any potatoes as certified seed or as being of a grade prescribed in this chapter; or use in connection with the sale of seed potatoes any word, phrase or designation which suggests that they have been inspected, certified, or graded unless they have been inspected, graded and certified under this chapter, and conform to grades as specified in the grading certificate.

(b) This chapter shall not apply to potatoes originating from another state which have been officially inspected and certified as to quality by an authorized certification agency of the state of origin as evidenced by an official certification label of the state of origin and which are otherwise accurately labeled and not misrepresented as being certified seed or seed of a particular grade or quality.

History: 1-2-56; am. Register, September, 1957, No. 21, eff. 10-1-57; renum. Ag 26.02 to be Ag 26.02 (1) and cr. (2), Register, January, 1961, No. 61, eff. 2-1-61; am. (1), Register, January, 1976, No. 241, eff. 2-1-76; r. and recr., Register, October, 1981, No. 310, eff. 11-1-81.

Ag 26.03 Field and bin inspections. (1) **APPLICATION; GENERAL REQUIREMENTS.** Persons desiring to qualify a seed lot as certified seed shall make application to the department of plant pathology of the college for the required field and bin inspections. The applicant shall voluntarily agree to pay and be liable for the expenses of inspection on a reasonable unit cost basis as determined by the college. All potatoes grown on farms on which certified seed is to be produced shall be entered for certification and subject to field and bin inspections for variety, field standards, disease tolerances, cultural standards, bin standards, and other inspectional standards and requirements provided in this section.

(2) **INSPECTION PROCEDURES.** (a) Field and bin inspections shall be conducted on basis of a visual observation of sample plants and tubers under growing conditions and during storage.

(b) A minimum of 2 field inspections shall be made during the growing season with a visual examination being made of a minimum of 100 plants for each planted acre. Inspections of bins and storage areas shall include a visual inspection of at least 100 stored tubers for each harvested acre.

(c) Certification shall not extend to diseases which cannot be observed on basis of a visual inspection of plants and tubers.

(3) **FIELD STANDARDS.** (a) All seed lots entered for certification shall be planted with foundation seed of the grower's own production. Foundation seed not produced by the grower may be used only with the approval of the college.

(b) Each separate variety of foundation seed plantings, including seed of the same variety originating from different sources and grown in the same field, shall be separated by at least 2 planting rows or otherwise separately identified as to variety and foundation seed source in a manner approved by the college.

(c) No variety of potatoes shall be certified if grown within 100 feet of other potato crops affected with virus in excess of viral disease tolerances permitted in sub. (4) (a). Less than 100 feet may be permitted if the seed field is protected against vectors of viral diseases by an adequate barrier or other condition affords protection to the seed field against vectors of viral diseases.

(4) DISEASE TOLERANCES. (a) No fields of potatoes may be certified which on first and subsequent inspections by the college are found to be infected with diseases or to contain variety mixtures in excess of respective percentage tolerances for variety mixture or various types of diseases as specified below:

DISEASE AND VARIETY MIXTURE	1st INSPECTION	2nd OR SUBSEQUENT INSPECTIONS
Leafroll	1.5%	1.0%
Mosaics	2.0%	1.0%
Spindle tuber	<u>1.0%</u>	<u>1.0%</u>
TOTAL VIRUS ALLOWED	3.0%	3.0%
Bacterial ring rot	0.0%	0.0%
Variety mixture	1.0%	0.1%

Note: Although individual tolerances on first inspection for leafroll, mosaics, and spindle tuber are shown as 1.5%, 2.0%, and 1.0% respectively, the total combined tolerances for these diseases on first inspection shall not exceed 3.0%. The 0.0% tolerance for ring rot does not mean the lot of potatoes is free of the disease, but means that the samples inspected were observed not to have the disease.

(b) In addition to the rejection of potatoes for failing to meet tolerance standards under par. (a), the college shall reject for certification any lot of potatoes because of the presence of any other disease to a damaging extent or serious insect damage, or any other condition that adversely affects or impairs the growth, quality, or value of the potatoes.

(5) CULTURAL STANDARDS. Uneven or slowly emerging plants or an excessive number of missing hills due to disease, poor seed or other cultural conditions shall be cause for rejection of any lot of potatoes for certification. Potatoes may also be rejected for certification because of the presence of weeds or existence of any other environmental or cultural factors or conditions contributing to the unsatisfactory growth or development of the potatoes or interfering with the ability of the college to conduct full and complete field inspections.

(6) FOUNDATION SEED STANDARDS. In addition to meeting all requirements for certified seed, foundation seed shall meet the following additional requirements:

(a) Foundation seed shall not be stored in warehouses or other storage areas where non-certified seed potatoes are stored, but may be stored in the same warehouse or storage area where other potatoes inspected and meeting foundation or certified standards are stored.

(b) Production of foundation seed shall be limited to those farms which have satisfied disease tolerances for ring rot under these rules for two successive growing seasons. Seed lots may be carried forward a second season if disease tolerances for ring rot have been satisfied and sanitary precautions are taken to prevent their contamination.

(c) No fields of potatoes may be certified as foundation seed which on first or subsequent inspections by the college are found to be infected with diseases or to contain variety mixtures in excess of respective tolerances for variety mixture or various types of diseases as specified below:

DISEASE AND VARIETY MIXTURE	FIRST INSPECTION	2nd AND SUBSEQUENT INSPECTION
Leafroll	0.25 %	0.25 %
Mosaics	0.25 %	0.25 %
Spindle tuber	0.10 %	0.10 %
TOTAL VIRUS ALLOWED	0.25 %	0.25 %
Bacterial ring rot	0.0 %	0.0 %
Variety mixture	0.0 %	0.0 %

Note: Although individual tolerances on first and subsequent inspections for leafroll, mosaics, and spindle tuber are .25%, .25%, and .10% respectively, the total combined tolerances for these diseases on first or subsequent inspections shall not exceed .25%. The 0.0% tolerance for ring rot does not mean the lot of potatoes is free of the disease, but means that the samples inspected were observed not to have the disease.

(d) The inspection records on seed lots certified by out-of-state agencies as meeting foundation class or better, shall be submitted to the college before being approved for foundation planting in this state. A grower purchasing foundation seed originating from out-of-state sources shall make a thorough investigation of the out-of-state producer's operation to assure that an adequate sanitation program has been followed to protect the seed potatoes from contamination by bacterial ring rot and other diseases.

(7) **WINTER FIELD TESTS; STANDARDS AND REQUIREMENTS.** (a) A follow-up winter field test, at a site chosen by the college, shall be conducted on all seed lots certified by the college on basis of summer field and bin inspections. A minimum of 300 to 400 B-size 1-¼ to 2-¼ inch diameter tubers shall be submitted to the college for winter test purposes from each lot of seed potatoes the grower intends to sell or use as certified or foundation seed potatoes.

(b) Certification by the college based on summer field and bin inspections shall be revoked if the potatoes fail to meet winter test standards and tolerances for diseases and variety mixture. Winter test standard and tolerances for diseases and variety mixture for foundation and other certified seed potatoes are as follows:

DISEASE AND VARIETY MIXTURE	FOUNDATION SEED	OTHER CERTIFIED SEED
Leafroll	0.5%	5.0%
Mosaics	0.5%	5.0%
Spindle tuber	0.5%	2.0%
TOTAL VIRUS ALLOWED	0.5%	5.0%
Bacterial ring rot	0.0%	0.0%
Variety mixture	0.0%	2.0%

Note: Although individual tolerances for leafroll, mosaics, and spindle tuber for foundation seed are .5% and for other certified seed are 5.0%, 5.0% and 2.0% respectively, the total combined tolerance for foundation seed is .5% and certified seed is 5%. The 0.0% tolerance for ring rot does not mean the lot of potatoes is free of the disease, but means the samples inspected were observed not to have the disease.

(c) No seed potatoes certified by the college on basis of summer field and bin inspections may be sold or offered for sale as foundation seed potatoes until after the winter test has been completed and the lot of seed potatoes has been further certified by the college as having met the requirements of the winter test. This does not prohibit the sale of other seed potatoes which have been graded and certified by the department as being Yellow Tag Grade or Badger State Brand certified seed potatoes following completion of the summer field and bin inspections and prior to completion of the winter test.

(d) If lot samples are destroyed through natural causes such as flooding or the winter test cannot be satisfactorily completed for any other reason, certification by the college shall be based only on summer field and bin inspections conducted by the college.

(8) **BIN STANDARDS.** (a) All storage areas or bins shall, prior to use for the storage of newly harvested lots of seed potatoes for certification, be cleaned and disinfected with a disinfectant approved by the college. Disinfection shall be verified by the college and evidenced by posting on storage areas or bins a sign dated and signed by an inspector of the college certifying that storage areas or bins have been properly cleaned and disinfected.

(b) Bins of seed potatoes shall be clearly labeled with the name of the grower, variety, foundation seed source, and bin measurements. Potatoes showing severe defects, such as frost, late blight, soft rot or any other condition that may adversely affect the quality or value of the potatoes may be rejected for certification.

(c) All potatoes stored in a warehouse in which certified or foundation seed is stored shall be from fields entered for certification.

History: 1-2-56; am. Register, September, 1957, No. 21, eff. 10-1-57; am. (2), Register, January, 1961, No. 61, eff. 2-1-61; am. (1), Register, January, 1976, No. 241, eff. 2-1-76; am. (1) (a), r. (l) (f) 1, renum. (1) (f) 2 to 7 to be 1 to 6, Register, March, 1977, No. 255, eff. 4-1-77; r. and recr. Register, October, 1981, No. 310, eff. 11-1-81.

Ag 26.04 Grades and grade inspection. (1) **GRADES.** The grades of Wisconsin certified seed potatoes are: Badger State Brand Yellow Tag Grade, Badger State Brand Foundation, and Yellow Tag Grade Foundation.

(2) **APPLICATION; COSTS.** Persons desiring to sell or offer for sale potatoes as Wisconsin certified seed of a grade prescribed in this section shall make application to the department for the required grade inspection.

The applicant shall agree to pay and be liable for the expense of grade inspections on a reasonable unit cost basis as determined by the department.

(3) **GRADE INSPECTIONS.** (a) Grades shall be determined on the basis of visual examination of individual samples of each lot for quality and condition in accordance with standards and tolerances for each specific grade as established in these rules. Individual samples used for grading and grade inspections shall consist of at least 20 pounds of potatoes drawn from each lot to be graded. The number of individual samples to be taken from each lot will vary with the size of the lot.

(b) Tolerances for size and defects for the various grades specified in these rules shall be calculated on basis of weight. Tolerances specified for each grade shall apply to both bulk and package lots of certified seed potatoes.

(4) **PERMITTED TOLERANCES.** All packages of potatoes within a lot shall on the average conform to grade tolerances for the entire lot as determined on an individual lot sample basis, but the contents of individual packages in the lot may vary from specified tolerances for the entire lot subject to the following limitations:

(a) When the tolerance specified is 10% or more, individual packages in any lot may contain not more than one and one-half times the tolerances specified, except that at least one defective and one off-size specimen shall be permitted in a package.

(b) When the tolerance specified is less than 10%, individual packages in any lot may contain not more than double the tolerance specified except,

1. That at least one defective and one off-size specimen shall be permitted in a package and

2. That for frozen potatoes or those affected by soft rot or wet breakdown, not more than one-tenth of the packages in any lot may contain a maximum of 4 times the tolerance specified.

History: 1-2-56; am. (1) and (3), Register, September, 1957, No. 21, eff. 10-1-57; am. (1) and (2), Register, January, 1976, No. 241, eff. 2-1-76; renum. (1) to (3) to be (2) to (4) and am. (2), (3), (4) (intro.) and (b), (1) renum. from Ag 26.01 (6) and am., Register, October, 1981, No. 310, eff. 11-1-81.

Ag 26.05 Badger state brand. (1) **GRADE REQUIREMENTS.** Badger State Brand certified seed potatoes shall consist of potatoes of one variety certified by the college, which are;

(a) Fairly well shaped and not frozen and

(b) Free from;

1. Freezing injury,
2. Blackheart,
3. Late blight,
4. Ring rot,
5. Soft rot or wet breakdown,

6. Damage as defined in s. Ag 26.01 (4), including cuts, dry rot, or damage by mechanical or other means, and

7. Serious damage as defined in s. Ag 26.01 (11), including serious damage caused by hollow heart, mahogany browning, and internal discoloration.

(2) **SIZE.** Unless a different minimum or maximum size is clearly stated on the official tag, the minimum size of each potato shall not be less than 1½ inches in diameter and the maximum size shall not exceed 12 ounces in weight.

(3) **TOLERANCE FOR SIZE.** (a) In order to allow for variations incident to proper sizing, not more than 3% of the potatoes in any lot may be below the minimum size.

(b) Not more than 15% of the potatoes in any lot may exceed the maximum size; provided, when the maximum size is not more than 12 ounces, the quantity of potatoes in excess of 16 ounces shall not exceed 5% of such lot.

(4) **TOLERANCES FOR DEFECTS.** (a) In order to allow for variations incident to proper grading and handling, other than for size, sunburn, hollow heart, mahogany browning and internal discoloration, not more than a total of 6% of the potatoes in any lot may fail to meet the required grade because of external defects, but within the 6% tolerance not more than 3% shall be affected by late blight or damaged by scab, and within the 3% tolerance established for late blight or scab not more than one per cent shall be frozen or affected with soft rot or wet breakdown.

(b) In addition to the 6% tolerance for external defects in par. (a), not more than 5% may be seriously damaged by hollow heart, mahogany browning or internal discoloration. No tolerance shall be allowed for bacterial ring rot.

(5) **SALE AND DISTRIBUTION.** (a) *Bagged potatoes.* Bagged potatoes of the Badger State Brand may be sold, distributed or transported for sale as certified seed potatoes only in new clean bags. The bags shall bear a net weight statement and be conspicuously and prominently imprinted with the words "Badger State Brand," or the brand of the grower or an organization through which the seed potatoes are marketed and bear an official blue tag issued by the college. The bags shall bear no other grade or brand designation. The official blue tag shall be securely attached to each bag and be prominently and conspicuously imprinted with the words "Wisconsin Certified Seed Potatoes Badger State Brand". In addition, the blue tag shall show the variety of the potatoes, season during which grown, and name and address of the grower. An official metal seal furnished by the department shall also be affixed to the string on all hand sewn bags to seal the contents of the bag. Official metal seals are not required on machine sewn bags where the stitching acts as an effective seal for the contents of the bag.

(b) *Bulk potatoes.* Potatoes of the Badger State Brand grade may be sold, distributed or transported for sale in bulk quantities, only in containers or carriers which have been thoroughly cleaned and disinfected immediately before the potatoes are placed in the containers or carriers and which can be sealed and opened only by the breaking of a seal. Each container or carrier of potatoes shall be identified with an official blue

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tag issued by the college and bearing information required under par. (a). The blue tag shall be attached to each container or carrier with an official metal seal, furnished by the department, in such a manner that the contents of the container or carrier cannot be removed without the breaking of the seal.

History: 1-2-56; am. Register, September, 1957, No. 21, eff. 10-1-57; am. (4), Register, January, 1961, No. 61, eff. 2-1-61; am. (5), Register, January, 1961, No. 61, eff. 8-1-61; am. (5), Register, August, 1962, No. 80, eff. 9-1-62; am. (5), Register, January, 1976, No. 241, eff. 2-1-76; am. (5) (a), Register, April, 1978, No. 268, eff. 5-1-78; am. (1), (4) and (5), Register, October, 1981, No. 310, eff. 11-1-81.

Ag 26.06 Yellow tag grade. (1) **GRADE REQUIREMENTS.** Yellow Tag Grade certified seed potatoes shall consist of potatoes of one variety, certified by the college which are;

(a) Not seriously misshapen and not frozen and

(b) Free from;

1. Freezing injury,

2. Blackheart,

3. Late blight,

4. Ring rot,

5. Soft rot or wet breakdown,

6. Damage as defined in s. Ag 26.01 (4), including cuts, dry rot, or damage by mechanical or other means except that potatoes seriously misshapen may be graded and certified as Yellow Tag Grade potatoes if the potatoes are acceptable to the buyer, and

7. Serious damage as defined in s. Ag 26.01 (11), including serious damage caused by growth cracks, mahogany browning or internal discoloration.

(2) **SIZE.** The size requirements and tolerances for size shall be the same as for Badger State Brand certified seed potatoes.

(3) **TOLERANCE FOR DEFECTS.** (a) In order to allow for variations incident to proper grading and handling, other than size, hollow heart, mahogany browning, sunburn and internal discoloration, not more than a total of 20% of the potatoes in any lot may fail to meet the required grade because of external defects, but within the 20% tolerance not more than 6% shall be affected with serious damage; and not more than 3% shall be affected by late blight or damaged by scab, and within the 3% tolerance established for late blight or scab not more than one per cent shall be frozen or affected with soft rot or wet breakdown.

(b) In addition to the 20% tolerance for external defects in par. (a), not more than 5% may be seriously damaged by mahogany browning or internal discoloration. No tolerance shall be allowed for bacterial ring rot.

(4) **SALE AND DISTRIBUTION.** (a) **Bagged potatoes.** Bagged potatoes of the Yellow Tag grade may be sold, distributed or transported for sale as certified seed potatoes only in new clean bags. The bags shall bear a net weight statement and otherwise be plain or conspicuously and prominently imprinted with the brand of the grower or an organization

through which the seed potatoes are marketed and bear an official yellow tag, issued by the college. The bags shall bear no other grade or brand designation. The official yellow tag shall be securely attached to each bag, and be prominently and conspicuously imprinted with the words "Wisconsin Certified Seed Potatoes Yellow Tag Grade". In addition, the tag shall show the variety of the potatoes, the season during which grown, and name and address of the grower. An official metal seal furnished by the department shall be affixed to the finishing end of the string on all hand sewn bags to seal the contents of the bag. Official metal seals are not required on machine sewn bags where the stitching acts as an effective seal for the contents of the bag.

(b) Bulk potatoes. Yellow Tag Grade potatoes may be sold, distributed or transported for sale in bulk quantities, only in containers or carriers which can be sealed and have been thoroughly cleaned and disinfected immediately before the potatoes are placed in the containers or carriers and which can be opened only by the breaking of a seal. Each container or carrier of potatoes shall be identified with an official yellow tag issued by the college and bearing the information required under par. (a). The yellow tag shall be attached to each container or carrier with an official metal seal, furnished by the department, in such a manner that the contents of the container or carrier cannot be removed without the breaking of the seal.

History: 1-2-56; am. Register, September, 1957, No. 21, eff. 10-1-57; am. (3), Register, March, 1958, No. 27, eff. 4-1-58; am. (4), Register, August, 1962, No. 80, eff. 9-1-62; am. (1) and (4), Register, January, 1976, No. 241, eff. 2-1-76; am. (4) (a), Register, April, 1978, No. 268, eff. 5-1-78; am. Register, October, 1981, No. 310, eff. 11-1-81.

Ag 26.07 Foundation seed. (1) BADGER STATE BRAND FOUNDATION.

(a) *Grade requirements.* Badger State Brand Foundation certified seed potatoes shall consist of potatoes of one variety, certified by the college, which shall meet the grade requirements of Badger State Brand certified seed potatoes under s. Ag 26.05.

(b) *Size.* The size requirements and the tolerances for size to be allowed shall be the same as for Badger State Brand certified seed potatoes.

(c) *Sale and distribution. 1. Bagged potatoes.* Bagged potatoes of the Badger State Brand Foundation grade may be sold, distributed or transported for sale as Badger State Brand Foundation seed potatoes only in new clean bags. The bags shall bear a net weight statement and be conspicuously and prominently imprinted with the words "Badger State Brand" or the brand of the grower or the organization through which the seed potatoes are marketed and bear an official blue tag issued by the college. The bags shall bear no other grade or brand designation. The official blue tag shall be securely attached to each bag, and be prominently and conspicuously imprinted with the words "Wisconsin Certified Seed Potatoes Badger State Brand" with the word "Foundation" overprinted on the face of the tag. In addition, the tag shall show the variety of the potatoes, the season during which grown, and name and address of the grower. An official metal seal furnished by the department shall also be affixed to the finishing end of the string on all hand sewn bags to seal the contents of the bag. Official metal seals are not required on machine sewn bags where the stitching acts as an effective seal for the contents of the bag.

2. Bulk potatoes. Potatoes of the Badger State Brand Foundation grade may be sold, distributed or transported for sale in bulk quantities, only in containers or carriers which can be sealed and opened by the breaking of the seal and which have been thoroughly cleaned and disinfected immediately before use for the bulk shipment of potatoes. Each container or carrier of potatoes shall be identified with an official blue tag issued by the college and bearing the information required under subd. 1., with the word "Foundation" overprinted on the face of the tag. The blue tag shall be attached to each container or carrier with an official metal seal, furnished by the department, in such a manner that the contents of the container or carrier cannot be removed without the breaking of the seal. Potatoes of this grade may not be sold, distributed or transported in bulk to out-of-state buyers in interstate commerce. No potatoes of the Badger State Brand Foundation grade may be sold, distributed or transported in bulk within this state without prior notification to or receipt of a permit from the college.

(2) **YELLOW TAG GRADE FOUNDATION.** (a) *Grade requirements.* Yellow Tag Grade Foundation seed potatoes shall consist of potatoes of one variety, certified by the college, which shall meet the grade requirements of Yellow Tag Grade certified seed potatoes under s. Ag 26.06.

(b) *Size.* The size requirements and the tolerances for size to be allowed shall be the same as for Badger State Brand certified seed potatoes.

(c) *Sale and distribution.* 1. Bagged potatoes. Bagged potatoes of the Yellow Tag Grade Foundation grade may be sold, distributed or transported for sale as Yellow Tag Grade Foundation seed potatoes only in new clean bags. The bags shall bear a net weight statement and otherwise be plain or conspicuously and prominently imprinted with the brand of the grower or the organization through which the seed potatoes are marketed and bear an official yellow tag issued by the college. The bags shall bear no other grade or brand designation. The official yellow tag shall be securely attached to each bag, and conspicuously and prominently imprinted with the words "Wisconsin Certified Seed Potatoes Yellow Tag Grade" with the word "Foundation" overprinted on the face of the tag. In addition, the tag shall show the variety of the potatoes, the season during which grown, and name and address of the grower. An official metal seal furnished by the department shall also be affixed to the finishing end of the string on all hand sewn bags to seal the contents of the bag. Official metal seals are not required on machine sewn bags where the stitching acts as an effective seal for the contents of the bag.

2. Bulk potatoes. Potatoes of the Yellow Tag Grade Foundation grade may be sold, distributed or transported for sale in bulk quantities, only in containers or carriers which can be sealed and opened by the breaking of the seal and which have been thoroughly cleaned and disinfected immediately before use for the bulk shipment of potatoes. Each container or carrier of potatoes shall be identified with an official yellow tag issued by the college and bearing the information required under subd. 1., with the word "Foundation" overprinted on the face of the tag. The yellow tag shall be attached to each container or carrier with an official metal seal, furnished by the department, in such a manner that the contents of the container or carrier cannot be removed without the breaking of the seal. Potatoes of this grade may not be sold, distributed or transported in bulk interstate to out-of-state buyers in interstate commerce. No po-

tatoes of the Yellow Tag Grade Foundation grade may be sold, distributed or transported in bulk within this state without prior notification to or receipt of a permit from the college.

History: 1-2-56; am. Register, September, 1957, No. 21, eff. 10-1-57; am. Register, August, 1962, No. 80, eff. 9-1-62; am. (1) (c) and (2) (c), Register, January, 1976, No. 241, eff. 2-1-76; am. (1) (c) 1 and (2) (c) 1, Register, April, 1978, No. 268, eff. 5-1-78; am. Register, October, 1981, No. 310, eff. 11-1-81.

Ag 26.08 Elite foundation seed potatoes. (1) Seed potatoes produced and sold by the college as elite foundation seed potatoes may be used for the planting and production of potatoes to be entered for certification as foundation or certified seed without grading inspection by the department. Elite foundation seed shall conform to all requirements prescribed in s. Ag 26.03 (6), and be the progeny from tuber-unit selections combined with clonal increase that have been rigidly screened for freedom from diseases by accepted indexing methods. No person may sell or represent seed potatoes as elite foundation seed potatoes unless the potatoes have been produced by the college and conform to the requirements of this section.

(2) Elite foundation seed potatoes shall consist of potatoes of one variety and as a minimum meet the standards for Yellow Tag Grade seed potatoes under s. Ag 26.06, except for defects not affecting productivity such as shape, sunburn, insect damage, mahogany browning, and internal discoloration. Elite foundation seed potatoes shall be labeled with a white tag printed with the words "Wisconsin Certified Seed Potatoes" with the words "Elite Foundation" overprinted on the face of the tag.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.

Ag 26.09 Authority. These rules are adopted under the authority of ss. 93.09 and 100.14, Stats., and enforced as provided under s. 93.21 (3), Stats.

History: Cr. Register, October, 1981, No. 310, eff. 11-1-81.