

Ag 20

STATE OF WISCONSIN
STATE DEPARTMENT OF AGRICULTURE } SS

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

I, D. N. McDowell, Director of the State Department of Agriculture, and custodian of the official records of said department, do hereby certify that the annexed order amending and adopting rules relating to Agricultural and Vegetable Seeds (Wis. Adm. Code ch. Ag 20) was duly adopted by this department on March 30, 1962.

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have
hereunto set my hand and
affixed the official seal
of the department at the
Capitol, in the city of
Madison, this 30th day of
March, A. D. 1962.

D. N. McDowell
Director

Docket No. 634.

ORDER OF THE STATE DEPARTMENT OF AGRICULTURE
AMENDING AND ADOPTING RULES

Pursuant to authority vested in the State Department of Agriculture by sections 93.07 (1), 94.40 (7) and 100.20, Wis. Stats., the State Department of Agriculture hereby amends and adopts rules as follows:

SECTION 1. Section Ag 20.04 of the Wisconsin administrative code is amended to read:

Ag 20.04 Certifying agencies. (1) Approval. The department approves the Wisconsin Crop Improvement Association and the official seed certification agencies of other states and Canadian provinces as satisfactory for the performance of varietal seed certification.

(2) Hybrid field seed corn. In certifying hybrid field seed corn as to variety each certifying agency, as a condition to continuance of its approval, shall conform to the following requirements:

(a) General procedure. Varietal certification procedure shall be based upon represented parental seed stocks as evidenced

by actual or coded pedigrees supplied to the certifying agency. Sufficient inspections of production practices shall be made to assure varietal purity. Procedures used, including tagging and sealing, shall be uniform as to all applicants.

(b) Official tag or label. Each agency shall issue, for use on containers of seed corn sold in Wisconsin, a tag or label bearing the name and address of the certifying agency and the phrase "Certified for Variety". The tag or label may include purity and germination information, and additional factual information, of an affirmative and non-discriminatory nature, relating to the varietal certification procedures of the certifying agency. The tag or label of the Wisconsin Crop Improvement Association shall be blue in color except for seed corn which fails to have at least 99% purity and 90% germination. It may bear a distinctive mark, such as a red "W", which will identify varieties developed by the University of Wisconsin.

(c) Seal. Any seals issued and used for sealing containers shall have a distinctive mark or design, so that the identity of the certifying agency is determinable.

(d) Fees; reports. In furnishing varietal certification services in this state the Wisconsin Crop Improvement Association may collect fees sufficient to cover the cost of such services, including the maintenance of a reasonable and necessary reserve. Its fee schedule, tags, labels and seals used in conjunction with varietal certification shall be submitted to and approved by the department prior to use. An annual operating statement and report of varietal certification activities shall

be filed with the department.

Note: This section does not prohibit the issuance of a separate tag or label by the Wisconsin Crop Improvement Association to any applicant who, in addition to varietal certification, desires performance certification of his hybrid field seed corn with respect to such qualities as yield and maturity, and resistance to disease, lodging and stalk breakage.

SECTION 2. Section Ag 20.045 of the Wisconsin administrative code is adopted to read:

Ag 20.045 False labeling or advertising. Seed labels or advertisements are false or misleading and unlawful under section 94.40 (5) and (6), Wis. Stats., by reason (among other reasons) of:

(1) Any use of the terms "certify" or "certified" when the seed has not been certified by an agency authorized by law to officially certify such seed.

(2) Any use of an official varietal certification tag, label or seal issued by such an agency, except in the manner and for the purposes prescribed by it.

(3) Any use of a tag, label or seal which purports to be an official tag, label or seal issued by such an agency when such is not the case.

The rules contained herein shall take effect on July 1, 1962.

Dated: March 30, 1962.

STATE DEPARTMENT OF AGRICULTURE

By /s/ D. N. McDowell

Director