

Chapter Ag 20

AGRICULTURAL AND VEGETABLE SEEDS

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Ag. 20.01 Procedures, standards, and tolerances. Except as otherwise provided, the methods and procedures used by the department for the sampling and analysis of seed for purity, germination and noxious weed seed content; the standards of germination of vegetable seed; and the tolerances for permitted variations between seed analysis data shown on the label of any lot of seed and actual percentages and rates of occurrence as determined by the department from an analysis of an inspector's sample of the same lot of seed, shall be as prescribed by the Rules for Testing Seed, published by the Association of Official Seed Analysts, effective July 1, 1965. The book containing such rules may be obtained from Dr. Louis N. Bass, National Seed Storage Laboratory, Colorado State University, Fort Collins, Colorado 80521, who is secretary-treasurer of the Association of Official Seed Analysts. A copy of the book is on file at the offices of the department of agriculture, secretary of state, and revisor of statutes.

History: 1-2-56; r. and recr. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.02 Germination. The combined total of the percentage of germination and the percentage of hard seed may be included on the seed analysis label in addition to the individual percentage of germination and the percentage of hard seed as required on the label.

History: 1-2-56; r. and recr. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.03 Fine-textured grasses. The names of the kinds of seed to be listed as fine-textured grasses under section 94.39 (2) (b), Wis. Stats., are:

- (1) Colonial bentgrass (*Agrostis tenuis*).
- (2) Creeping bentgrass (*Agrostis palustris*).
- (3) Velvet bentgrass (*Agrostis canina*).
- (4) Kentucky bluegrass (*Poa pratensis*).
- (5) Rough bluegrass (*Poa trivialis*).
- (6) Wood bluegrass (*Poa nemoralis*).
- (7) Canada bluegrass (*Poa compressa*).
- (8) Red fescue (*Festuca rubra*).
- (9) Chewings fescue (*Festuca rubra* var. *commutata*).

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(10) Sheep fescue (*Festuca ovina*).

History: 1-2-56; r. and recr. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.04 Sweetclover. White blossom sweetclover seed containing 5% or more of mottled seed shall not be labeled as white blossom sweetclover seed but shall be labeled sweetcover seed.

History: 1-2-56; am. Register, April, 1957, No. 16, eff. 5-1-57; am. Register, May, 1962, No. 77, eff. 7-1-62; r. and recr. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.045 History: Cr. Register, May, 1962, No. 77, eff. 7-1-62; r. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 25.05 Labeling of seed distributed to wholesalers. The labeling of seed supplied to a wholesaler or distributor may be on the invoice or an analysis label attached thereto, provided each container is clearly identified by the lot number corresponding to the lot number shown on the invoice or analysis label.

History: 1-2-56; r. and recr. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.06 Relabeling for germination. (1) Seed on which the germination test has expired under section 94.41 (1) (a) of the statutes may be relabeled in any manner which will clearly show all required label information, including the name and address of the person who relabeled the seed.

(2) It shall be the responsibility of the seed dealer having possession of seed on which germination data has expired to withdraw such seed from sale and identify it as expired seed until it has been retested and relabeled with current information by the holder of a seed labeler's license.

NOTE: Germination test data expires 12 months after the month in which the germination test was made for all seed other than seed packaged in hermetically sealed containers, for which initial germination test data expires 36 months after the month in which the test was made. See Section Ag 20.11 for rules governing the extended 36 month test period for seeds packaged in hermetically sealed containers. Seeds packaged in hermetically sealed containers under Section Ag 20.11 may not be sold after the expiration of such 36 month period unless relabeled with germination test data current within 9 months of date of sale.

History: 1-2-56; r. and recr. Register, February, 1969, No. 158, eff. 3-1-69; am. Register, April, 1975, No. 232, eff. 5-1-75.

Ag 20.07 Labels to accompany sample. (1) All samples drawn from any lot of seed by a department inspector and forwarded to the state seed laboratory for analysis shall be accompanied by one or more of the original labels pertaining to the lot of seed sampled, and for this purpose department inspectors may remove existing labels from any package or container of seed sampled and replace them with a replacement label bearing the same information as contained on the original label.

(2) When an entire package is not taken as a sample, or the original label cannot be removed without damage to the package or container, the owner or custodian of the seed shall furnish a duplicate label or a true copy thereof, on request of the department inspector.

History: 1-2-56; r. and recr. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.08 Test reports. (1) Reports of tests made by the state seed laboratory shall not be used in any way which would infer that the department recommends or guarantees any lot of seed, or that the sample tested is representative of the entire lot. Test reports made on Register, April, 1975, No. 232

seed samples submitted to the state seed laboratory are applicable only to the sample tested and do not assure that the sample is representative of the lot.

(2) The use of the words "state tested" or "state" or the name "State of Wisconsin Department of Agriculture" or "State Seed Laboratory", or words of similar import, shall not be used in advertising, selling or labeling of seed in any way to give the impression that the state or any of its subdivisions guarantees or assumes responsibility for any data on any seed label or for the quality of any lot of seed.

History: 1-2-56; r. and recr. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.09 History: 1-2-56; r. Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.09 Fees. The fees for testing seed samples submitted to the state seed laboratory are based on costs of time and materials and are as set forth in this section. Except as otherwise described, the 3 basic tests consist of the purity analysis, the noxious weed seed examination and the germination test. The fees for the various types and categories of seeds and seed tests are as follows:

	Purity	Noxious	Germination	Complete
(1) AGRICULTURAL SEED (other than grasses)				
(a) <i>Large</i> -----	\$3.00	No Charge	\$3.00	\$5.50
Field corn, soybeans				
(b) <i>Medium</i> -----	\$2.00	\$2.00	\$2.50	\$6.00
Buckwheat, cereals, flax, rape, sorghum, vetch				
(c) <i>Small</i> -----	\$2.50	\$2.50	\$3.00	\$7.50
Alfalfa, alsike clover, birdsfoot trefoil, crown vetch, ladino clover, millets (Japanese, proso, foxtail), red clover, sudangrass, sweetclover, timothy, white clover				
(2) GRASS SEED				
(a) <i>Large</i> -----	\$4.00	\$4.00	\$3.50	\$11.00
Smooth brome, chewings fescue, red fescue, meadow fescue, orchardgrass, reed canarygrass, ryegrass, tall fescue				
(b) <i>Small</i> -----	\$4.50	\$3.50	\$4.00	\$11.50
Bentgrass, bluegrass, Poa Trivialis, redtop				

(3) SEED MIXTURES

The charge for seed mixtures (in which more than one kind of crop seed is present to the extent of 5% or more) is the total of (a) the fee for the kind of crop seed in the mixture having the highest fee and (b) 50% of the fees applicable to the other kinds in the mixture.

(4) VEGETABLE SEED

(a) Purity Analysis ----- \$3.00

(b) Germination:

1. Brussels sprouts, cabbage, collards, cucumbers, kale, kohlrabi, leek, lettuce, muskmelon, okra, onions, radish, rutabaga ----- \$3.00
2. Artichoke, asparagus, beans, beets, carrots, celeriac, celery, chicory, citron, dill, eggplant, endive, mangel, New Zealand spinach, parsley, parsnip, peas, pepper, pumpkins, Swiss chard, rhubarb, salsify, squash, sweetcorn, tomato, watermelon----- \$3.50

(5) UNUSUAL SAMPLES

The work of testing screenings, dirty samples and unusual seeds (including flowers, shrubs, weeds) will be performed on an actual cost basis to be estimated and quoted upon request after receipt of the sample.

(6) SPECIAL TESTS

(a) *Tetrazolium Test*-----

(b) Fees for the examination of samples for noxious weed seeds of other states are the same as those for Wisconsin as set forth herein, except that the fees will double if an examination is requested both for Wisconsin and other states.

History: 1-2-56; am. Register, November, 1965, No. 119, eff. 12-1-65; renun. from Ag 20.10 to be Ag 20.09, Register, February, 1969, No. 158, eff. 3-1-69; am. Register, December, 1973, No. 216, eff. 1-1-74.

Ag 20.10 Standards of germination. Standards of germination for vegetable seeds shall be:

Artichoke -----	60%	Leek-----	60%
Asparagus -----	70%	Lettuce -----	80%
Bean, garden -----	70%	Muskmelon -----	75%
Bean, lima -----	70%	Mustard -----	75%
Beets-----	65%	Okra -----	50%
Broccoli -----	75%	Onion -----	70%
Brussels sprouts-----	70%	Parsley -----	60%
Cabbage -----	75%	Parsnip -----	60%
Carrot-----	55%	Peas-----	80%
Cauliflower -----	75%	Pepper-----	55%
Celery and celeriac -----	55%	Pumpkin -----	75%
Chicory -----	65%	Radish -----	75%
Citron-----	65%	Rhubarb-----	60%
Collards -----	80%	Rutabaga-----	75%
Corn -----	75%	Salsify -----	75%
Cress, garden -----	75%	Spinach-----	60%
Cress, water-----	40%	Spinach (New Zealand) ----	40%
Cucumber -----	80%	Squash-----	75%
Eggplant -----	60%	Swiss chard -----	65%
Endive-----	70%	Tomato-----	75%
Kale-----	75%	Turnip-----	80%
Kohlrabi-----	75%	Watermelon -----	70%

History: 1-2-56; renun. from Ag 20.11 to be Ag 20.10 and am., Register, February, 1969, No. 158, eff. 3-1-69.

Ag 20.11 Seed packaged in hermetically sealed containers. (1)

Seed packaged in hermetically sealed containers may be sold for a

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period of 36 months after the month in which the seed was retested for germination if packaged and tested under the following conditions:

(a) The seed was packaged and tested within 9 months after harvest;

(b) The seed is packaged in a hermetically sealed container which does not allow water vapor penetration (WVP) through any wall, including the seals, greater than 0.05 grams of water per 24 hours per 100 square inches of surface at 100° F. with a relative humidity on one side of 90% and on the other side of 0%. Water vapor penetration or WVP is measured in accordance with standards of the U. S. Bureau of Standards, expressed as follows: gm. H₂O/24 hr./100sq. in./100°F./90% RH V. 0% RH;

(c) The seed as packaged in the container does not exceed the percentage of moisture, on a wet weight basis, as specified below:

1. Agricultural Seed	Percent	Cucumber -----	6.0%
Beet, field -----	7.5%	Eggplant-----	6.0%
Beet, sugar -----	7.5%	Kale -----	5.0%
Bluegrass, Kentucky ---	6.0%	Kohlrabi-----	5.0%
Fescue, red -----	8.0%	Leek-----	6.5%
Ryegrass, annual -----	8.0%	Lettuce -----	5.5%
Ryegrass, perennial ----	8.0%	Muskmelon -----	6.0%
All others-----	6.0%	Mustard, India -----	5.0%
2. Vegetable Seed	Percent	Onion -----	6.5%
Bean, garden-----	7.0%	Onion, Welsh -----	6.5%
Bean, lima-----	7.0%	Parsley-----	6.5%
Beet -----	7.5%	Parsnip -----	6.0%
Broccoli-----	5.0%	Pea -----	7.0%
Brussels sprouts-----	5.0%	Pepper -----	4.5%
Cabbage -----	5.0%	Pumpkin -----	6.0%
Carrot-----	7.0%	Radish -----	5.0%
Cauliflower-----	5.0%	Rutabaga -----	5.0%
Celeriac-----	7.0%	Spinach-----	8.0%
Celery-----	7.0%	Squash-----	6.0%
Chard, Swiss -----	7.5%	Tomato -----	5.5%
Chinese cabbage -----	5.0%	Turnip -----	5.0%
Chives-----	6.5%	Watermelon-----	6.5%
Collards-----	5.0%	All Others -----	6.0%
Corn, sweet -----	8.0%		

(d) The container is conspicuously labeled in not less than 8 point type to indicate:

1. That the container is hermetically sealed;
2. That the seed has been preconditioned as to moisture content; and
3. The calendar month and year in which the germination test was completed.

(e) The percentage of germination of vegetable seed at the time of packaging was equal to or above standards of germination under section Ag 20.10.

(2) Seed packaged in hermetically sealed containers under subsection (1) may not be sold after expiration of the initial 36 month period unless retested in the preceding 9-month period, the seed as retested conforms to germination standards set forth in section Ag 20.10, and the seed is relabeled with germination retest data current within 9 months prior to date of sale.

History: Cr. Register, April, 1975, No. 232, eff. 5-1-75.