

Part XIII. Seeds

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Part XIII. Seeds

AGRICULTURE AND ANIMALS**Part XIII. Seeds****Chapter 1. General Provisions****Subchapter A. Definitions;
Administrative Matters****§101. Definitions**

A. The definitions in R.S. 3:1331 and the following definitions are applicable to this Part.

Coated Seed—any seed unit covered with any substance that changes the size, shape, or weight of the original seed. Seeds coated with ingredients such as, but not limited to, rhizobia, dyes, and pesticides that do not significantly change the size, shape, or weight of the original seed are excluded.

Declaration—a written statement of a grower, shipper, processor, dealer, or importer, given for any lot of seed the kind, variety, type, origin, or the use for which the seed is intended.

Hybrid Seed Corn (as applied to field corn, sweet corn, or popcorn)—the first generation seed of a cross produced by controlling the pollination, and by combining two, three, or four inbred lines, or by combining one inbred or a single cross with an open pollinated variety. Hybrid designations shall be treated as variety names.

LAES—Louisiana Agricultural Experiment Station.

LDAF—Louisiana Department of Agriculture and Forestry.

Processing—cleaning, scarifying or blending to obtain uniform quality and other operations which would change the purity or germination of the seed and, therefore require retesting to determine the quality of the seed, but does not include operations such as packaging, labeling, blending together of uniform lots of the same kind or variety without cleaning, any of which would not require retesting to determine the quality of the seed.

Prohibited Noxious Weed Seed—the seeds of perennial weeds such as not only reproduce seed, but also spread underground roots or stems, and which, when established, are highly destructive and difficult to control in the state by ordinary good cultural practices.

Registered Seed Technologist—as applied in these regulations, means a seed technologist who has attained registered membership in the Society of Commercial Seed Technologists (society) through qualifying tests and experiences as required by the society.

Restricted Noxious Weed Seed—seeds of such weeds as are very objectionable in fields, lawns or gardens of this state, but can be controlled by good cultural practices.

Seed Gathered in Elevators—seed gathered in elevators or other establishments to be sold for planting purposes by farmers or other persons who are subject to the provisions of the Seed Law or the rules and regulations in this Part.

Seed Law—R.S. 3:1431et seq.

Treated—given an application of a substance or subjected to a process designed to reduce, control or repel disease organisms, insects or other pests which attack seeds or seedlings growing therefrom.

B. The terms defined in R.S. 3:1331 and in this Section have the meaning herein given to them, except where a rule or regulation or the context expressly indicates otherwise.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 36:1220 (June 2010), LR 37:270 (January 2011), LR 39:1757 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2702 (October 2013), amended LR 40:744 (April 2014).

**§103. Request for Adoption, Amendment, or Repeal of a Rule
(Formerly §239)**

A. Any interested person may, pursuant to R.S. 49:953(C), request the commission to adopt, amend, or repeal a rule (rule change) that the commission has the authority to make.

B. A request for a rule change shall be in writing and shall contain the following information:

1. a draft of the proposed wording of the requested rule change or a statement detailing the content of the requested rule change;

2. the name, address, telephone number, fax number and e-mail address of the requesting party.

C. The request for a rule change shall be addressed to the commission and shall be mailed or delivered to 5825 Florida Boulevard, Baton Rouge, LA 70806.

D. The commission shall consider the request as follows:

1. A request for rule change shall be considered by the commission within a reasonable time, not to exceed 90 days, unless the requesting party consents to the matter being deferred for a longer period of time.

2. Notice of the meeting at which the request is to be considered shall be provided to the person submitting the request.

3. Failure of the requesting party to attend the meeting for purposes of discussing the proposed rule change may be cause for the request to be denied by the commission.

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4. The request, with the consent of the requesting party, may be taken under consideration or action deferred.

a. If the matter is taken under consideration or action is deferred then it will be taken up and acted upon at the next regularly scheduled meeting of the commission or at a special meeting of the commission to be held before the next regularly scheduled meeting, as agreed upon between the requesting party and the commission.

E. Any decision by the commission shall be in writing and shall state the reasons for the denial or action being taken. Such notice may be delivered by hand, mail, electronically or by any other means reasonably assured to provide notice to the requesting party.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 49:953(C).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 39:1763 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2703 (October 2013), amended LR 40:744 (April 2014).

§105. Procedure for Declaratory Orders and Rulings (Formerly §241)

A. This rule provides for the filing and prompt disposition of requests for declaratory orders and rulings as to the applicability of any statutory provision or as to the applicability of any rule or order of the commission, as required by R.S. 49:962 and 49:963(D).

B. A request for a declaratory order or ruling shall be in writing and shall contain the following information:

1. a citation to the specific statutory provision, rule or order that will be the subject of the declaratory order or ruling;
2. a concise statement of why the declaratory order or ruling is being requested;
3. a list of all persons that the requesting party may call to testify and a list of all documents that may be submitted as evidence, if a hearing is called to take evidence;

4. the name, address, telephone number, fax number and e-mail address of the requesting party, either printed or written in legible form.

C. The request for a declaratory order or ruling shall be addressed to the commission and shall be mailed or delivered to 5825 Florida Boulevard, Baton Rouge, LA 70806.

D. The commission shall consider the request as follows.

1. The request shall be considered by the commission within a reasonable time, not to exceed 90 days, unless the requesting party consents to the matter being deferred for a longer period of time.

2. Notice of the meeting at which the request is to be considered shall be provided to the person submitting the request.

3. Failure of the requesting party, after notice, to attend any hearing or meeting regarding the request may be cause for the request to be denied.

4. The request, with the consent of the requesting party, may be taken under consideration or action deferred by the commission. If the matter is taken under consideration or action is deferred then it will be taken up and acted upon at the next regularly scheduled meeting of the commission or at a special meeting of the commission to be held before the next regularly scheduled meeting, as agreed upon between the requesting party and the commission.

E. The commission’s decision shall be sent to the requesting party either by certified mail, return receipt requested; hand delivery; or commercial courier.

F. Failure of the requesting party, after notice, to attend any hearing or meeting regarding the request may be cause for the request to be denied.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433, R.S. 49:962 and R.S. 49:963(D).

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 39:1763 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2703 (October 2013), amended LR 40:744 (April 2014).

§109. List of Noxious Weeds and Limitations on Noxious Weed Seed

A. The weeds listed in the following table are designated as noxious weeds. The seed of any noxious weed is permitted to be in seed sold, distributed, or offered or handled for sale only as provided in the limitation column of the table, except as otherwise provided in Subsection B.

| List of Noxious Weeds and Seed Limitations | | |
|--|--|-------------|
| | Name | Limitations |
| 1. | Tropical Soda Apple (<i>Solanum viarum</i>) | Prohibited |
| 2. | Field Bindweed (<i>Convolvulus arvensis</i>) | Prohibited |
| 3. | Hedge Bindweed (<i>Convolvulus sepium</i>) | Prohibited |
| 4. | Nutgrass (<i>Cyperus esculentus</i> , <i>C. rotundus</i>) | Prohibited |
| 5. | Itchgrass (<i>Rottboellia exaltata</i> , L., <i>R. cochinchinensis</i>) | Prohibited |
| 6. | Balloon Vine (<i>Cardiospermum halicacabum</i>) | Prohibited |
| 7. | Cocklebur (<i>Xanthium</i> spp.) | 5 per lb. |
| 8. | Spearhead (<i>Rhynchospora</i> spp.) | 5 per lb. |
| 9. | Purple Moonflower (<i>Ipomoea turbinata</i>) | 9 per lb. |
| 10. | Red Rice (<i>Oryza sativa</i> var.) | 9 per lb. |
| 11. | Wild Onion and/or Wild Garlic (<i>Allium</i> spp.) | 9 per lb. |
| 12. | Canada Thistle (<i>Cirsium arvense</i>) | 100 per lb. |
| 13. | Dodder (<i>Cuscuta</i> spp.) | 100 per lb. |
| 14. | Johnsongrass (<i>Sorghum halepense</i>) | 100 per lb. |
| 15. | Quackgrass (<i>Agropyron repens</i>) | 100 per lb. |
| 16. | Russian Knapweed (<i>Centaurea repens</i>) | 100 per lb. |

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| List of Noxious Weeds and Seed Limitations | |
|---|-------------|
| Name | Limitations |
| 17. Blueweed, Texas (<i>Helianthus ciliaris</i>) | 200 per lb. |
| 18. Grass, Bermuda (<i>Cynodon dactylon</i>) | 300 per lb. |
| 19. Bracted Plantain (<i>Plantago aristata</i>) | 300 per lb. |
| 20. Buckhorn Plantain (<i>Plantago lanceolata</i>) | 300 per lb. |
| 21. Cheat (<i>Bromus secalinus</i>) | 300 per lb. |
| 22. Hairy Chess (<i>Bromus commutatus</i>) | 300 per lb. |
| 23. Corncockle (<i>Agrostemma githago</i>) | 300 per lb. |
| 24. Darnel (<i>Lolium temulentum</i>) | 300 per lb. |
| 25. Dock (<i>Rumex</i> spp.) | 300 per lb. |
| 26. Horsenettle (<i>Solanum carolinense</i>) | 300 per lb. |
| 27. Purple Nightshade (<i>Solanum elaeagnifolium</i>) | 300 per lb. |
| 28. Sheep Sorrel (<i>Rumex acetosella</i>) | 300 per lb. |
| 29. Morning Glory (<i>Ipomoea</i> spp.) | 18 per lb. |
| 30. Wild Poinsettia (<i>Euphorbia heterophylla</i> , E. dentata) | 18 per lb. |
| 31. Wild Mustard and Wild Turnips (<i>Brassica</i> spp.) | 300 per lb. |
| 32. Hemp Sesbania, Coffeebean, Tall Indigo (<i>Sesbania exaltata</i>) | 300 per lb. |
| 33. Curly Indigo (<i>Aeschynomene virginica</i>) | 300 per lb. |
| 34. Mexican Weed (<i>Caperonia castaneaefolia</i>) | 300 per lb. |
| Sum of Total Noxious Weed (Subject to limitations above) | 500 per lb. |

B. If the noxious weed or weed seed restrictions set out in Chapter 7 of this Part for a field or seed being certified is more restrictive than the limitations in the table in Section A or if any of those rules and regulations provides for limitations on weeds not listed in the table then the rules and regulations in Chapter 7 for that specific crop kind or variety supersedes the limitations listed in the table.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended LR 5:96 (May 1979), LR 7:285 (June 1981), LR 8:563 (November 1982), LR 9:197, 206 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:605 (September 1988), LR 23:1282 (October 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, Seed Commission, LR 30:199 (February 2004), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:744 (April 2014).

§§111-119. Reserved.

Subchapter B. Fees

§121. License Fee; Laboratory and Sampling Fees (Formerly §113)

- A. The annual fee for a seed dealer's license shall be \$100.
- B. The following laboratory and sampling fees shall be applicable to all seed testing conducted by LDAF:

1. standard germination test only, purity test only or noxious weed examination only: \$10 each (except grasses and seed containing high inert: \$20 each);
2. complete test (purity and germination): \$17.50 each (except grasses and seed containing higher inert: \$30 each);
3. accelerated aging: \$15 each;
4. Texas cool test: \$20 each;
5. tetrazolium: \$20 each;
6. examination of 4-pound rice seed sample for presence of red rice: \$10;
7. varietal purity \$12;
8. herbicide bioassay: \$25;
9. seed mixtures:
 - a. purity only: \$10 for first two components; \$5 for each additional component;
 - b. germination only: \$10 for first two components; \$5 for each additional component;
 - c. complete test (purity, germination, noxious weed exam): \$10 per component;
10. seed count per pound: \$5;
11. service sample taken by LDAF inspector: \$15 per sample; and
12. priority sample: \$25.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended LR 7:164 (April 1981), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:603 (September 1988), LR 29:2632 (December 2003), LR 36:1220 (June 2010), LR 37:1373 (May 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:745 (April 2014).

§123. Regulatory Fee on Seeds (Formerly §115)

A. A regulatory fee of \$0.20 for each 100 pounds of agricultural and vegetable seed sold, within this state shall be paid to the commission. The regulatory fee shall be due at the first point of sale in this state. However, the payment of a regulatory fee is not required upon the sale of Louisiana certified tagged seed upon which the regulatory fee has already been paid.

B. All seed dealers shall maintain accurate and legible records for all seeds sold, distributed, or offered or handled for sale in this state. These records shall include the following information for each lot of seed:

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1. any identification of each lot;
2. the kind and variety of seed in the lot;
3. the number of pounds of seed in the lot; and
4. for each lot sold or distributed, the invoice number, weight, lot number, number of containers, and name of the person receiving the seed.

C. Each seed dealer shall file a quarterly report with LDAF on a form approved by the commission and submit the inspection fees collected during that quarter.

1. The reports shall cover the following periods: 1st quarter—July, August, September; 2nd quarter—October, November, December; 3rd quarter—January, February, March; 4th quarter—April, May, June.

2. Reports and fees shall be filed with LDAF no later than 30 days following the end of each quarter. If a seed dealer has no sales during the quarterly reporting period the LDAF must be notified accordingly.

D. LDAF may assess a 10 percent additional charge as a late payment for failure to timely pay any inspection fee.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Seed Commission, LR 14:603 (September 1988), amended LR 29:2632 (December 2003), LR 38:1558 (July 2012), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2704 (October 2013), amended LR 40:745 (April 2014).

§125. Certification, Field Inspection, and Sampling Fees (Formerly §143)

A. All fees shall be paid before the requested work is performed, as follows.

1. All application fees and fees for inspections, re-inspections, sampling and re-sampling shall be paid at the time the application or request for work is submitted to LDAF, except for those crop kinds where the fee is based on an hourly rate and mileage.

2. Fees for certification of seeds by laboratory analysis shall be paid prior to submission of the certified sample to the State Seed Testing Laboratory.

3. Requests for different payment arrangements shall be made to and must be approved by the director or assistant director.

B. Application Fees

1. The application fee for certification for each producer shall be \$28 for each variety with only one variety per application if the application is timely submitted.

2. The application fee for certification shall be \$100 for each application submitted after the deadline shown in §509 of this Part.

C. Field inspection fees shall be charged as follows:

1. all crop, grass, and other seeds not listed in this Section—\$1.15 per acre;

2. for the following species, California bulrush, sea oats, and smooth cordgrass:

a. an hourly fee of \$25 per hour per inspector for each inspection; and

b. mileage for travel to and from inspection location at the mileage reimbursement rate established by the Division of Administration's state travel regulations;

3. rice—\$1.15 per acre;

4. small grains—\$1.15 per acre;

5. sugarcane—\$3 per acre;

6. sweet potato:

a. field inspection—\$2.25 per acre;

b. greenhouse and seedbed inspections—\$62.50 per crop year;

c. seed storage inspection:

i. a fee of \$25 per hour, per inspector for each seed sweet potato storage inspection, and

ii. mileage for travel to and from the inspection location mileage reimbursement rate established by the Division of Administration's state travel regulations.

7. turf and pasture grass—\$31.25 per acre.

D. Reinspection fees—\$50 for each re-inspection.

E. Fees for phytosanitary inspections—\$1.15 per acre.

F. Fees for resampling certified seed—\$30 for each re-sample.

G. Fees for bulk sampling—\$30 for each bulk sample by vacuum probe.

H. Seed Certification Fees

1. Fees for certified seed shall be 16 cents per weight unit and be calculated on the total weight units in the certifiable lot. The number of weight units for a particular lot of seed shall be reported when the certified sample is taken.

a. The weight unit for all seeds is 50 pounds except for rice which has a weight unit of 100 pounds.

b. A person who sells, distributes, or offers for sale certified seed in Louisiana and who has paid certification fees for a particular lot of seed may request a partial refund, not to exceed 70 percent on the unsold portion of the certified lot.

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c. A person requesting a refund must submit a written request, along with all unused tags from the certified lot, within nine months of the certified test date, stating:

i. the lot number for the seed that the request is being made;

ii. the number of weight units sold from the certified lot; and

iii. the number of weight units partitioned for refund from the certified lot.

d. A request for a refund shall be approved upon verification of the unused tags and information submitted with the request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 10:495 (July, 1984), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 14:604 (September 1988), LR 16:847 (October 1990), LR 25:1617 (September 1999), LR 26:235 (February 2000), LR 29:2632 (December 2003), LR 31:420 (February 2005), LR 31:1511 (July 2005), LR 34:2339 (November 2008), LR 37:2979 (October 2011), LR 38:1558 (July 2012), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2705 (October 2013), amended LR 40:745 (April 2014).

§§127-129. Reserved.

Subchapter C. Labels; Records; Samples; Tolerances; Standards; Noxious Weed Seed

§131. Analysis Test; Labeling of Seed (Formerly §121)

A. Every person whose name appears on the label of seed, except persons exempt pursuant to the authority of R.S. 3:1445, and who sells, transports, distributes, or offers or handles for sale agricultural, or vegetable, shall have a complete analysis test performed on the seed by a registered seed technologist or an official state seed analyst prior to the seed being sold, distributed or offered or handled for sale in Louisiana.

B. Information required to be shown on the label by R.S. 3:1436 or this Part shall be in the English language and in type that is no smaller than eight point.

C. Seed treated with a mercurial or similarly toxic substance that is harmful to humans or other vertebrate animals, if any residue remains in or on the seed, shall be labeled in type no smaller than eight points and shall be in red letters on a distinctly contrasting background. In addition, the label shall show a representation of a skull and crossbones using at least 16 point type.

D. Seed treated with a substance harmful to humans or other vertebrate animals, other than a mercurial or similarly toxic substance, and which is in containers of four ounces or less does not need to contain a cautionary statement on the label.

E. The following substances shall not be deemed harmful if present at a rate less than the number of parts per million (ppm) indicated:

1. allethrin, 2ppm;

2. malathion, 8ppm;

3. methoxychlor, 2ppm; piperonyl butoxide, 8ppm on oat and sorghum and 20ppm on all other seeds; and

4. pyrethrins, 1ppm on oat and sorghum and 3ppm on all other seeds.

F. Seeds labeled "foundation seed," "registered seed" or "certified seed," shall not be sold, distributed, or offered or handled for sale in this state unless the seed has been produced and labeled in compliance with this Part and the procedures and protocols of a seed certifying agency approved by the commissioner.

G. When more than one component is required to be named on the label, the word "mixture" or the word "mixed" shall be shown conspicuously on the label.

H. The label on hybrid corn shall show the state where grown.

I. The name and kind of variety of seed shall not be abbreviated on the label, but shall be written out in full.

J. No seed shall be sold or offered for sale more than nine months, inclusive of the month of testing, after the date on any germination label applicable to the seed or seed lot. For all vegetable seed packaged in hermetically sealed containers, this period shall be extended to 24 months, inclusive of the month of testing.

1. The owner or distributor of the seed shall be responsible for relabeling the seed after expiration of the germination test date period to state the true germination date after the seed has been retested.

2. A new tag or label shall be used to state the true germination date. The original tag shall not be changed in any way.

K. Each package of coated seed shall have the following additional information on the front of the package which shall be set forth in a clear and conspicuous manner so that the ultimate purchaser is able to read the information easily and without strain:

1. the words "coated seed;"

2. a statement giving the maximum amount of coating material contained within the package;

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3. a statement referring purchaser to the product label for additional information.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and 3:1436.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 16:492 (June 1990), LR 37:270 (January 2011), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2705 (October 2013), amended LR 40:746 (April 2014).

§133. Tag Requirements (Formerly §111)

A. The analysis tag shall be a Number 6 standard shipping tag, minimum size, and shall carry the information required by the Seed Law, arranged as follows.

Kind and Variety _____
Where Grown _____ Net Wt. _____ Lot No. _____
Pure Seed _____ Percent Germination _____ Percent
Inert Matter _____ Percent Hard Seed _____ Percent
Crop Seed _____ Percent Total Germ and Hard Seed _____ Percent
Weed Seed _____ Percent Date of Test _____
Name and No. of Noxious Weed Seed per lb. _____

Name _____
Address _____

B. Tags for certified seed, foundation seed or registered seed shall be adopted by the certifying agency, approved by the commissioner and meet the requirements of the Louisiana Seed Law.

C. All information required on the seed analysis tag or label shall be placed on one side of the tag or label without intervening matter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1436 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2706 (October 2013), amended LR 40:746 (April 2014).

§135. Invoices and Records; Inspection of Records (Formerly §119)

A. Each person selling, distributing, or offering or handling for sale agricultural or vegetable seed shall keep for a period of three years complete records of each container or lot of seed sold, distributed, or offered or handled for sale by that person. Complete records shall, at a minimum, include the information required in §123.A.2 of this Part.

B. These records shall be accessible for inspection by the commissioner, commissioner, or LDAF or their authorized agent at any time during customary business hours.

C. Trucks and other carriers transporting seed for delivery in this state shall have available for examination at any time a bill of lading, waybill or a delivery receipt showing:

- 1. the name of the shipper or party from whom purchased;
- 2. the name and address of the party to whom the seed is to be delivered;
- 3. the kind and amount of each separate lot of seed; and
- 4. the name of the truck line or owner and driver of the truck or other carrier transporting the seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1435 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013), amended LR 40:747 (April 2014).

§137. Sampling (Formerly §103)

A. The manner of sampling and handling seed in the field and analyzing and testing seed in the laboratory, greenhouse and trial plots shall be the same as that recommended in the latest rules for testing seed adopted by the Association of Official Seed Analysts.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1434 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013).

§139. Tolerances (Formerly §105)

A. Except as otherwise provided in this Section, the tolerances published in the latest rules and regulations for testing seed by the Association of Official Seed Analysts shall be applicable in the administration of the Louisiana Seed Law.

B. Germination Tolerances. The following tolerances, which are recognized by the Federal Seed Act, 7 USC 1551-1611, are adopted and are applicable to the percentage of germination and also to the sum of the germination plus the hard seed. Maximum tolerance values for comparing two 400-

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seed germination tests of the same or different submitted samples tested in the same or different laboratories.

| Average Percent Germination | | Tolerance* |
|-----------------------------|---------|------------|
| A | B | C |
| 99 | 2 | 2 |
| 97 - 98 | 3 - 4 | 3 |
| 94 - 96 | 5 - 7 | 4 |
| 91 - 93 | 8 - 10 | 5 |
| 87 - 90 | 11 - 14 | 6 |
| 82 - 86 | 15 - 19 | 7 |
| 76 - 81 | 20 - 25 | 8 |
| 70 - 75 | 26 - 31 | 9 |
| 60 - 69 | 32 - 41 | 10 |
| 51 - 59 | 42 - 50 | 11 |

*When only 200 seeds of mixtures are tested, 2 percent shall be added to the above germination tolerances.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 33:1609 (August 2007), LR 34:2338 (November 2008), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013).

§141. Germination Standards for Vegetable Seed (Formerly §107)

A. Germination standards for vegetable seed shall be the same as those published under *United States Department of Agriculture Service and Regulatory Announcements Number 156* and subsequent amendments. Minimum germination of vegetable or garden seed shall be as follows.

| | Percent |
|---------------------------------|---------|
| Artichoke | 60 |
| Asparagus (including hard seed) | 70 |
| Beans (except lima) | 75 |
| Beans (lima) | 70 |
| Beets | 65 |
| Broccoli | 75 |
| Brussels sprouts | 70 |
| Cabbage | 75 |
| Cardoon | 60 |
| Carrot | 55 |
| Cauliflower | 75 |
| Celery or celeriac | 55 |
| Chicory | 65 |
| Citron | 65 |
| Collards | 80 |
| Corn | 75 |
| Cress, garden | 40 |
| Cucumber | 80 |
| Dandelion | 45 |
| Eggplant | 60 |
| Endive | 70 |
| Fetticus (cornsalad) | 70 |
| Kale | 75 |
| Kohlrabi | 75 |

| | Percent |
|------------------------------|---------|
| Leek | 60 |
| Lettuce | 80 |
| Muskmelon | 75 |
| Mustard | 75 |
| Mustard, spinach | 75 |
| Mustard, vegetable | 75 |
| Okra (including hard seed) | 50 |
| Onion | 70 |
| Pak-choi | 75 |
| Parsley | 60 |
| Parsnip | 60 |
| Peas | 80 |
| Pepper | 55 |
| Pe-tsai or Chinese cabbage | 75 |
| Pumpkin | 75 |
| Radish | 75 |
| Rhubarb | 60 |
| Rutabaga | 75 |
| Salsify | 75 |
| Sorrel | 60 |
| Spinach (except New Zealand) | 60 |
| Spinach, New Zealand | 40 |
| Squash | 75 |
| Swiss chard | 65 |
| Tomato | 65 |
| Tomato, husk | 50 |
| Turnip | 80 |
| Watermelon | 70 |
| Watercress | 35 |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:104 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2707 (October 2013).

§143. Standards for Agricultural Seed (Formerly §117)

A. No agricultural seed shall be offered for sale if the germination percentage, including hard seed, is below 60 percent, except Dallisgrass. Dallisgrass shall not be offered for sale if the pure live seed percentage (purity times germination) is below 10 percent.

B. No agricultural and vegetable seed shall be sold, offered for sale or exposed for sale containing in excess of 2 1/2 percent of total weed seed.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1444 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 4:105 (April 1978), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences,

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Agricultural Chemistry and Seed Commission, LR 39:2708 (October 2013).

Chapter 3. Enforcement of Law and Regulations

§301. Acts which Constitute Violations (Formerly §151)

A. The following acts shall be considered as violations under the Seed Law or this Part:

1. selling, distributing, or offering or handling for sale any agricultural or vegetable seed without registering with the commissioner as a seed dealer or maintaining a seed dealer's license;

2. failing to timely file any required report or pay any required regulatory fee on agricultural or vegetable seed sold within or into Louisiana;

3. selling, distributing, offering or handling for sale, or transporting, unless exempted under R.S. 3:1445, any agricultural or vegetable seed within or into this state which is not labeled in accordance with the Seed Law or this Part;

4. selling, distributing, offering or handling for sale, or transporting except for common carriers exempted under R.S. 3:1445, within or into this state, any agricultural or vegetable seed that is:

- a. labeled in a false or misleading manner; or that is
- b. advertised in a false or misleading manner; or that
- c. contain conflicting labeling or label information;

5. failing to comply with a written stop order issued by an authorized agent of the commissioner, commission or LDAF;

6. failing to comply with labeling requirements when selling, distributing, or offering or handling for sale "treated" seed;

7. detaching, defacing, damaging, falsifying, altering or destroying any required label, certificate, seal, tape, test data, records or other documents provided for in the Seed Law or this Part unless any such action is performed by the ultimate consumer or end user of the seed after purchase by that person;

8. failing to keep accurate records or to make any such records available for inspection, as required by the Seed Law or this Part;

9. selling, distributing, or offering or handling for sale agricultural or vegetable seed as certified, registered or foundation class without being produced and labeled in compliance with the Seed Law or this Part;

10. representing a lot as "certified seed" without an official seed certifying agency label, tape, certificate or other

approved documentation attached to or accompanying each container or shipment;

11. obstruct in any way the commissioner, the commission, LDAF or any of their authorized agents in the performance of their duties;

12. selling, distributing, offering or handling for sale, or transporting except for common carriers exempted under R.S. 3:1445, any agricultural or vegetable seed that has not been tested in accordance with the Seed Law or this Part;

13. using relabeling stickers without having both the calendar month and year that the germination test was completed and the lot number that exactly matches the original lot number;

14. failure of labeled seed to be within the limitations allowed or recognized tolerances of analysis on label;

15. failure to comply and obtain a written release of a stop order within the 30-day period required by R.S. 3:1440.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1444 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:567 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2708 (October 2013), amended LR 40:747 (April 2014).

Chapter 5. General Seed Certification Requirements

§501. Definitions also Applicable to this Chapter (Formerly §125)

Certification—the process by which official recognition is given to seeds produced under a limited generation system which ensures genetic purity and identity and a given minimum level of quality.

Clonally Propagated Plant—a plant that is duplicated or propagated as a plant clone from vegetative cuttings or plant divisions using one or more of an aerial stem, rhizome, stolon, leave, or root.

Germination—the percentage of seeds capable of producing normal seedlings under ordinarily favorable growing conditions.

Hybrid—one or more crosses of inbred lines of the same kind of seed.

Inbred Line—a relatively true-breeding strain resulting from at least five successive generations of controlled self-fertilization or of backcrossing to a recurrent parent with selection, or its equivalent for specific characteristics.

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Inert Matter—all matter not seeds, including pieces of broken and damaged seeds one-half or less than the original size, sterile florets, fungus bodies, stones and all matter considered as inert by the Association of Official Seed Analysts Rules for Testing Seeds.

Inseparable Seeds—seeds that are similar in size, shape and weight to the seed offered for certification, which are difficult to remove.

Isolation—the distance required between a crop or variety entered for certification and other plantings of the same crop or variety, not entered for certification, which are pollinating at the same time.

Kind—one or more related species singly or collectively known by one common name (examples: corn, beans, wheat).

Land Requirement—the period of time during which a field entered for certification cannot have grown or been seeded to the same species or variety except a certified class of the same species or variety which was equal to or superior to that of the species or variety entered for certification. If a field(s) is(are) entered for certification in the foundation class, only the foundation class of seeds could have been grown in that field during the time period specified.

Lot of Seed—a definite quantity of seeds identified by a lot number or mark, every portion or bag of which is uniform, within permitted tolerances, relative to the factors which appear in the labeling.

Noxious or Prohibited Weeds—all weeds designated as noxious or prohibited weeds under §109.

Off-Type (Mutations)—plants or seeds which deviate in one or more characteristics from the breeder description filed with LDAF.

Open-Pollination—pollination that occurs naturally as opposed to controlled pollination such as by detasseling cytoplasmic male sterility, self-incompatibility or similar processes.

Originator—a person, company, agent or institution developing a new variety of seed.

Other Weeds/Weed Seeds—all weeds and/or weed seeds which have not been designated as noxious weeds by the Commission.

Plant Clone—a genetically identical plant or plant material derived originally from a single ancestor individual over one or more vegetative generations.

Recertification—the official approval of a second or subsequent generation of a certified class of seed.

Roguing—the removal from the field of noxious weeds, off-type plants, varietal mixtures and any other plants producing seeds which are inseparable from seeds of the crop to be certified.

Species—plants designated by a common name and having common characteristics.

Unit of Certification—any clearly defined field(s) or portion(s) of a field entered for certification.

Variety—a subdivision of a kind, characterized by growth, plant, fruit, seed or other characteristics by which it can be differentiated from other seeds of the same kind.

Volunteer Plants—plants of a crop kind or species other than the crop being certified that are present in a field.

Weight Unit—unit of measure, designated by the Commission, based on the most common industry accepted packaging weight in pounds for a specific commodity.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and 3:1436.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:564 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 31:420 (February 2005), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2709 (October 2013), amended LR 40:748 (April 2014).

§503. Classes of Seed (Formerly §123)

A. The following classes of seed are recognized for purposes of this Chapter.

1. *Breeder Seed (White Tag)*—seed directly controlled by the originating or sponsoring plant breeding institution, firm or individual which is the source for the production of seed of the certified classes.

2. *Foundation Seed (White Tag)*—progeny of breeder or foundation seed, handled so as to maintain specific genetic purity and identity, production of which must be acceptable to LDAF.

3. *Registered Seed (Purple Tag)*—progeny of breeder or foundation seed, handled under procedures acceptable to LDAF to maintain satisfactory genetic purity and identity.

4. *Certified Seed (Blue Tag)*—progeny of breeder, foundation or registered seed, handled under procedures acceptable to LDAF to maintain satisfactory genetic purity and identity.

5. *Tree Seed*—

a. *Certified Tree Seed (Blue Tag)*—seed from trees of proven genetic superiority, produced so as to assure genetic identity. Seeds from interspecific hybrids of forest trees may be included.

b. *Selected Tree Seed (Green Tag)*—progeny of rigidly selected trees or stands of untested parentage that have

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promise but not proof of genetic superiority and for which geographic source and elevation is stated on the label.

c. *Source-Identified Tree Seed (Yellow Tag)*—seed from a natural stands with known geographic source and elevation, or plantations of known geographic origin and which is acceptable to LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:564 (November 1982), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 31:1510 (July 2005), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2710 (October 2013), amended LR 40:748 (April 2014).

§505. General Requirements for Certification (Formerly §127)

A. The crop or variety to be certified must have been approved for certification by LDAF.

B. The originator, developer, owner, or agent seeking to have the crop or variety of seed certified shall provide the following information to LDAF.

1. the name of the variety;
2. a statement concerning the variety's origin and the breeding procedure used in its development;
3. a detailed description of the morphological, physiological and other characteristics of the plants and seed that distinguish it from other varieties;
4. evidence supporting the identity of the variety, such as comparative yield data, insect and disease resistance, or other factors supporting the identity of the variety;
5. a statement delineating the geographic area or areas of adaptation of the variety;
6. a statement on the plans and procedures for the maintenance of seed classes, including the number of generations through which the variety may be multiplied;
7. a description of the manner in which the variety is constituted when a particular cycle of reproduction or multiplication is specified;
8. any additional restrictions on the variety specified by the breeder, with respect to geographic area of seed production, age of stand or other factors affecting genetic purity;
9. a sample of seed representative of the variety as marketed.

C. To be certified, all crops and/or varieties must conform to:

1. all general requirements for certification; and

2. all specific requirements for certification of a particular crop or variety. (See §§701-811 for specific requirements. In §§701-811, the percentages shown for pure seed and germination are the minimum acceptable levels of performance required for certification; the percentages shown for all other factors are maximum allowable percentages.)

D. The grower must submit the application described in §507 on or before the date specified in §509 for the crop or variety to be certified. (See §507.B and §125.B for provisions concerning late applications.)

E. The crop or variety to be certified must be of breeder, foundation or registered seed, or seed approved by the commission.

F. The grower must maintain genetic purity during seeding, production, harvesting, storage, conditioning and labeling.

G. The grower must hand-rogue all off-type plants, varietal mixtures, noxious weeds or any other plants producing seed that are inseparable from seed of the crop or variety to be certified.

H. Other varieties or crops, volunteer plants and/or off-type plants cannot be present in the field, and seeds thereof cannot be present in seed to be certified, unless permitted under the specific certification standards for the crop or variety entered for certification. Noxious weeds are permitted in the field and seed thereof are permitted in seed to be certified, within the limitations specified in §109, unless a specific limitation on noxious weeds is contained in the specific requirements for the crop or variety entered for certification. (See §§701-811 for specific requirements.)

I. One or more field inspections will be made to determine genetic identity and purity. The crop or variety to be certified must be standing, reasonably free of weeds and of relatively uniform maturity at the time of field inspection(s). A copy of the field inspection report will be furnished to the grower.

J. All planting, harvesting, bin storage and cleaning equipment must be free of contamination by other seeds, insects, or plant diseases.

K. Storage facilities must be:

1. suitable for maintaining germination and varietal purity;
2. constructed so that a representative sample can be drawn; and
3. all such facilities are subject to approval by LDAF.

L. The grower must maintain complete records accounting for all production and final disposition of all certified seeds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

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HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 20:1257 (November 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2710 (October 2013), amended LR 40:748 (April 2014).

**§507. Application for Field Certification
(Formerly §129)**

A. The grower must apply for certification on or before the application deadline shown in §509 for seed stock to be certified by LDAF. The grower must submit a completed application on the form provided by LDAF.

B. Applications for certification of seed stock for a crop or variety listed in §509 which are submitted after the deadline specified in §509 will not be approved unless field inspection(s) can be completed prior to harvest.

C. Information to accompany application:

1. name of variety;
2. GPS coordinates at or about the center point of each field presented for certification;
3. copy of the purchase invoice, or statement showing class of seed purchased;
4. one sample tag from each lot number (If the grower plants seed of his own production, the class of seed and lot number shall be identified by documentation acceptable to LDAF); and
5. a map of each field presented for certification.

D. It is the duty of the grower to notify LDAF at least two weeks prior to harvest of the anticipated harvest date for each field presented for certification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 34:863 (May 2008), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2711 (October 2013), amended LR 40:749 (April 2014).

**§509. Application Deadlines
(Formerly §131)**

- A. Onion bulbs and seed, and shallots—March 1.
- B. Tissue Culture Sugarcane—April 1.

C. Clover (crimson, red, white), rescue grass, harding grass, vetch, and Irish potatoes—April 1.

D. Oats, wheat, ryegrass, singletary peas—April 15.

E. Watermelon—May 1.

F. Sweet potatoes and sweet potato plants:

1. greenhouse plantings (virus-tested)—45 days prior to planting;

2. field plantings—June 1.

G. Okra—June 15.

H. Rice—July 1.

I. Cotton, millet, sesame, sunflower, tree—July 15.

J. Tomatoes (Spring)—June 1, (Fall)—July 15.

K. Soybeans—August 1.

L. Corn—a minimum of 30 days prior to pollination.

M. Cowpeas—a minimum of 30 days prior to harvest.

N. Grasses:

1. Bermuda grasses:

- a. new plantings—minimum of 30 days prior to harvest;

- b. established stands (fields certified the previous year)—June 1. Renewal application must be submitted;

2. turf and pasture grass:

- a. new plantings—at least 15 days prior to land preparation for planting;

- b. established stands (fields certified the previous year)—June 1. Renewal application must be submitted.

O. Clonally propagated plant species, except for plant species for which a deadline is specifically provided in this Section:

1. new plantings-submit application at least 15 days prior to land preparation for planting;

2. established stands (fields certified the previous year)-submit renewal application by April 15.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Seed Commission, LR 12:825 (December 1986), LR 13:155 (March 1987), LR 13:232 (April 1987), LR 14:603 (September 1988), LR 23:1283 (October 1997), LR 25:1617 (September 1999), LR 34:863 (May 2008), LR 37:2979 (October 2011), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2711 (October 2013).

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**§511. Limitations on Generations
(Formerly §133)**

A. The originator of the variety may specify the number of generations through which a variety may be multiplied.

B. No variety may be multiplied more than two generations beyond the foundation class, except as follows:

1. older varieties of certified seed may be recertified when foundation seed is not being maintained;

2. one additional generation of certified seed may be permitted on a one-year basis when, prior to planting season, the Commission declares that there are insufficient supplies of foundation and registered seed to plant the needed acreage of the certified variety. Permission of the variety's originator, if existent, must be obtained. In this situation, the additional generation will not be eligible for recertification.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:749 (April 2014).

**§513. Lot of Seed
(Formerly §135)**

A. The applicant shall assign a specific, unique number or other mark when the seed is conditioned and bagged.

B. Each container in a given lot of seed shall be marked with the number or other mark assigned to that lot.

C. Seed lots may be blended if the variety and class are the same.

D. All seed must be bagged in new bags, unless other types of containers are approved by LDAF prior to bagging.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:749 (April 2014).

**§515. Seed Sampling
(Formerly §137)**

A. Seed sampling will be performed at the request of the grower.

B. Except as provided by §515.D.2, official samples to determine eligibility for certification shall be drawn only after the seed is conditioned.

C. Sampling of Bagged Seed

1. Each lot of seed must be stacked so as to facilitate sampling.

2. A LDAF inspector will sample at random, by probing, a specific number of bags from each lot. The number of bags to be sampled from each lot is as follows: five bags, plus 10 percent of the total number, not to exceed 30 bags per lot. In lots containing six bags or less, every bag will be sampled.

D. Sampling of Bulk Seed**1. Cleaned Seed in Bulk**

a. A LDAF inspector will collect a minimum of four samples, at intervals of 4 feet, by probing the entire depth of the bin or storage area.

b. All samples will be blended into one representative sample for each bin or storage area.

2. Uncleaned Seed in Bulk

a. A LDAF inspector will collect a minimum of four samples, at intervals of 4 feet, by probing the entire depth of the bin or storage area. All samples will be blended into one representative sample for each bin or storage area.

b. A second representative sample will be drawn within 60 days after the first sample, after conditioning, for determining purity.

E. Analysis of samples shall be performed according to the current rules of the Association of Official Seed Analysts.

F. Resampling Policy

1. Except in special instances, as described below, only one sample shall be obtained from each certified lot.

a. When a certified seed lot fails certification requirements due to physical or mechanical purity factors, such as excess inert matter or weed seed, the seed may be reconditioned if the contaminants are separable. A complete purity analysis and germination test will be required on the reconditioned lot of seed. Certified seed rice which fails certification due to the presence of red rice seed in the sample shall be subject to the terms of Subparagraph e below.

b. Should a seed lot fail certified seed germination standards on the first laboratory test, a re-sample for germination test only for that seed lot will be permitted. Only one re-sample per seed lot will be permitted.

c. Whenever a certified seed lot is divided into sub-lots, both a purity and a germination test will be required for all sub-lots.

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d. The last and most recent laboratory test report for a seed lot shall be the final analysis used to establish the eligibility for certification and will determine the information to be placed on the tag.

e. When a certified seed rice lot fails certification requirements due to the presence of one red rice seed in the original four pound sample, then a second 8 pound sample may be drawn from the lot. If one or more red rice seeds are found in the second sample, the lot will be disqualified on the basis of red rice content. If no red rice seed is found in the second sample, the lot would meet certification requirements. Certified seed rice whose original sample contains the presence of more than one red rice seed may not be resampled.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:565 (November 1982), amended LR 9:195 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 19:888 (July 1993), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2712 (October 2013), amended LR 40:750 (April 2014).

**§517. Listing of Certified Seed Conditioning Plants
(Formerly §139)**

A. Seed conditioning plants desiring to be listed in LDAF roster of seed conditioning plants must make a written application for inclusion on the list.

B. LDAF will issue certificates to all seed conditioning plants making application for inclusion on the listing, on an annual basis, each such certificate to expire on June 30 following date of issue.

C. The following requirements must be met by processors of all classes of certified seed.

1. Facilities shall be available to perform processing without introducing admixtures.
2. Identity of the seed must be maintained at all times.
3. Records of all operations relating to certification shall be completed and adequate to account for all incoming seed and final disposition of seed.
4. Processors shall permit inspection by the certifying agency of all records, equipment, storage and processing facilities pertaining to all classes of certified seed.
5. Processors shall designate an individual who shall be responsible to the certifying agency for performing such duties as may be required by the certifying agency.
6. Seed lots of the same variety and class may be blended and the class retained. If lots of different classes are blended, the lowest class shall be applied to the resultant

blend. Such blending can only be done when authorized by the certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:642 (June 1994), LR 31:35 (January 2005), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2713 (October 2013), amended LR 40:750 (April 2014).

**§519. Processing of Certified Seed
(Formerly §141)**

A. Bagging

1. All seed approved for certification must be packaged in new 100 pound containers or less, except as provided by this subsection.

2. Registered class of rice and small grains (wheat and oats):

a. new super-bags or Q-Bit bulk containers (or its equivalent as determined by LDAF);

b. each super-bag or Q-Bit container of registered seed must be sealed in an LDAF approved manner that prevents removal and re-attachment without tampering being obvious. Seals shall be attached after filling and/or sampling is completed.

3. Certified class of rice and small grains (wheat and oats):

a. new or reusable super-bags or Q-Bit bulk containers (or its equivalent as determined by LDAF). Reusable containers shall be cleaned in a manner approved by LDAF.

B. General Labeling Requirements

1. Each container, regardless of size, of all classes of certified seed offered for sale must bear an official certification label issued by the LDAF.

2. Labeling requirements may vary with the crop and methods of handling, but, in all instances, labels shall be attached to the containers in a secure manner.

3. The lot number of the label attached to each container must be the same as the lot number marked on the container.

4. The label shall contain the following information:

- a. kind and variety;
- b. where grown;

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c. percentage of pure seed, crop seed, weed seed and inert matter;

d. name and number of noxious weed seeds per pound;

e. grower's name and address or code number;

f. germination percentage;

g. hard seed;

h. total germination and hard seed percentage;

i. net weight;

j. lot number; and

k. date of test.

5. Labels will be issued only for seed proven by laboratory analysis to meet required germination and purity standards.

6. The number of labels issued will be determined by the inspector's estimate of the quantity of seed at the time of sampling. All unused labels must be returned to LDAF.

7. Prelabeling

a. In order to permit owners or certifiers of seed to bag and label seed in advance of final laboratory reports, certification labels may be issued in advance. Such labels can be pre-issued upon receipt of completed field inspection reports showing that field production standards have been met. The state may grant a waiver on the movement of seed if an acceptable preliminary test is made on the seed lot. If pre-labeled lots fail laboratory analysis standards, all labels shall be destroyed or returned to the LDAF. Failure to comply with this regulation will result in suspension of future prelabeling privileges.

8. The official certification label may be printed directly on the container with prior approval of LDAF.

9. When separate seed analysis labels containing warranties, treatment information, etc., are attached to containers they shall be positioned so as not to obscure certification labels.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:643 (June 1994), LR 31:35 (January 2005), LR 31:1510 (July 2005), LR 39:1758 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2713 (October 2013), amended LR 40:750 (April 2014).

**§521. Bulk Certification Requirements
(Formerly §147)**

A. Bulk certification shall be limited to the certified class of the following commodities:

1. small grains (wheat and oats);

2. rice.

B. Seed eligible for bulk certification shall meet all field and laboratory standards established for certified seed as specified in these regulations.

C. Seed certified in bulk shall not be eligible for recertification.

D. Seed certified in bulk shall only be sold by the applicant producer or by a retail facility approved by LDAF.

1. Each retail outlet shall have a procedure for handling bulk certified seed that is acceptable to LDAF for the purpose of assuring genetic purity and that the identity of the seed is maintained.

E. The seed owner is responsible for making application for bulk certification to LDAF and for securing LDAF's approval to use the facility in which the seed will be stored prior to storage of the seed at the facility.

F. Storage Requirements

1. A separate storage bin shall be available for each variety that will be sold in bulk.

2. Storage bins shall be constructed so that all bin openings can be sealed to prevent contamination and maintain genetic purity.

3. All bins shall be clearly and prominently marked to show crop and variety, until disposal of the entire lot is completed and the bin is properly cleaned to remove all remaining seeds or seed residue.

G. Seed sampling shall be conducted as provided in §515.D.

H. Certification

1. No certified seed tags will be issued for seed certified in bulk, except as provided by subsection I of this Section.

2. For sales to an approved retail facility within the state, a bulk certified seed transfer form shall be issued to cover all bulk certified seed which meets the general requirements for seed certification and the specific requirements for the crop/variety being certified.

a. The seller shall provide a copy of the bulk certified seed transfer form to each purchaser at time of delivery.

b. The seller shall provide a copy of each issued Bulk Certified Seed Transfer Form to LDAF at the time the form is completed.

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c. The seller shall maintain a copy of each issued bulk certified seed transfer form in his file, which shall be available for examination by LDAF upon reasonable request.

3. For sales to the end user, a bulk certified seed sales certificate shall be issued to cover all bulk certified seed which meets the general requirements for seed certification and the requirements for the crop/variety being certified.

a. The seller shall provide a copy of the bulk certified seed sales certificate to each purchaser at the time of delivery.

b. The seller shall provide a copy of each issued bulk certified seed sales certificate to LDAF at the time the form is completed.

c. The seller shall maintain a copy of each issued bulk certified seed sales certificate in his file, which shall be available for examination by LDAF upon reasonable request.

1. If the owner of seed certified in bulk elects to package any portion of the lot, the owner shall give prior notification of his intention to package the seed to LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433 and R.S. 3:1434.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:567 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1283 (October 1997), LR 26:235 (February 2000), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2714 (October 2013), amended LR 40:750 (April 2014).

§523. Interagency Certification (Out-of-State Seed) (Formerly §149)

A. Seed to be certified by interagency action must meet the seed certification standards established by the Seed Law and this Part or comparable standards of a seed certifying agency recognized by the commissioner.

B. Seed to be certified by interagency action must contain, on the package, evidence from another recognized certifying agency that the seed is eligible for certification.

C. The following information must accompany each lot of seed:

1. kind and variety;
2. quantity (pounds);
3. class; and
4. lot number issued by previous certifying agency.

D. Seed to be certified by interagency action must be sequentially numbered.

E. A Louisiana tag for the appropriate class of seed must be attached to all seed to be certified by interagency action.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:566 (November 1982), amended LR 9:196 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1283 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2714 (October 2013), amended LR 40:751 (April 2014).

Chapter 7. Certification of Specific Crops/Varieties

Subchapter A. Grasses and Clovers

§701. Crimson Clover Seed Certification Standards (Formerly §159)

A. Field Standards

| Factor | Breeder | Foundation | Required | Certified |
|------------------|-----------|------------|-----------|-----------|
| Land Requirement | 5 yrs. | 5 yrs. | 3 yrs. | 2 yrs. |
| Isolation | 1,000 ft. | 1,000 ft. | 1,000 ft. | 600 ft. |
| Other Varieties | None | None | 0.20% | 0.50% |
| Noxious Weeds | None | None | None | None |

B. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|-----------------|-------------|-------------|--------------|--------------|
| Pure Seed | 98.00% | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% | 2.00% |
| Other Varieties | None | 0.10% | 0.25% | 1.00% |
| Other Crops | None | None | 45 seed/lb. | 90 seed/lb. |
| Noxious Weeds | None | None | None | None |
| Other Weeds | 25 seed/lb. | 50 seed/lb. | 180 seed/lb. | 360 seed/lb. |
| Germination | None | 85.00% | 85.00% | 85.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:569 (November 1982), amended LR 9:198 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§703. Louisiana White; Louisiana White S 1, Ladino and Other White Clover Seed Certification Standards (Formerly §161)

A. Field Standards

| Factor | Breeder | Foundation | Registered | Certified |
|------------------|---------------------|---------------------|---------------------|---------------------|
| Land Requirement | 5 yrs. ¹ | 5 yrs. ¹ | 3 yrs. ¹ | 2 yrs. ² |
| Isolation | 1,320 ft. | 1,320 ft. | 660 ft. | 330 ft. |

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| Factor | Breeder | Foundation | Registered | Certified |
|---|--------------------|--------------------|--------------------|---------------------|
| Other Varieties and/or Species that can be differentiated from the variety being certified | None | None | None | None |
| Other Crops (inseparable) | 10 Plants per Acre | 10 Plants per Acre | 50 Plants per Acre | 100 Plants per Acre |
| ¹ A foundation and/or registered field may produce only two successive seed crops following seeding except that each may be reclassified to the next lower class after being harvested for seed for two years. A stand will not be eligible to produce any class of seed after four successive seed crops. ² A certified field on which a stand of perennial plants is maintained may produce a maximum of four successive seed crops following seeding. | | | | |

B. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|--|---------|------------|-------------|--------------|
| Pure Seed | 99.00% | 98.00% | 98.00% | 98.00% |
| Inert Matter | 1.00% | 2.00% | 2.00% | 2.00% |
| Other Crops | None | None | 45 seed/lb. | 100 seed/lb. |
| Other Varieties | None | None | None | 10 seed/lb. |
| Other Kinds | None | None | 45 seed/lb. | 90 seed/lb. |
| Sweet Clover | None | None | 45 seed/lb. | 80 seed/lb. |
| Other Clovers | None | None | None | None |
| Noxious Weeds: Bracted plantain Buckhorn plantain | None | None | None | None |
| Other Weeds | 0.04% | 0.04% | 0.07% | 0.14% |
| Wild Carrot | None | None | None | None |
| Germination | None | 85.00% | 85.00% | 85.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:569 (November 1982), amended LR 9:198 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§705. Red Clover Seed Certification Standards (Formerly §163)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|---|------------|------------|-----------|
| *Land Requirement | 5 yrs. | 3 yrs. | 2 yrs. |
| Isolation | 1,320 ft. | 660 ft. | 330 ft. |
| Other Varieties | None | 0.20% | 0.50% |
| *No stand of red clover will be eligible to produce any class of certified seed after two successive seed crops. These seed crops may be produced in the same or consecutive years. | | | |

B. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|-----------|---------|------------|------------|-----------|
| Pure Seed | 99.00% | 99.00% | 99.00% | 99.00% |

| Factor | Breeder | Foundation | Registered | Certified |
|--|---------|-------------|-------------|--------------|
| Inert Matter | 1.00% | 1.00% | 1.00% | 1.00% |
| Other Varieties | None | 0.10% | 0.25% | 1.00% |
| Other Crops | None | 18 seed/lb. | 90 seed/lb. | 180 seed/lb. |
| Noxious Weeds: Dock, Cheat, Darnel, Johnsongrass, Wild Mustard | None | 45 seed/lb. | 90 seed/lb. | 100 seed/lb. |
| Dodder | None | None | None | None |
| Other Weeds | 0.05% | 0.15% | 0.15% | 0.25% |
| Germination | None | 85.00% | 85.00% | 85.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:570 (November 1982), amended LR 9:199 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2715 (October 2013).

§707. Bahia Grass Seed Certification Standards (Formerly §155)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|-----------------------------------|---|--------------------|--------------------|
| Land Requirement | 5 yrs. | 1 yr. | 1 yr. |
| Isolation | 1,320 ft. | 660 ft. | 330 ft. |
| Other Varieties | None | None | 5 Plants per Acre |
| Other Grass with Inseparable Seed | 10 Plants per Acre | 10 Plants per Acre | 25 Plants per Acre |
| Other Crops | Other crops with seed that can be separated will be permitted in the field. | | |

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|-----------|
| Pure Seed | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% |
| Other Varieties | 0.10% | 0.10% | 0.25% |
| Noxious Weeds | None | None | None |
| Other Weeds | 0.50% | 0.50% | 1.00% |
| Germination | 80.00% | 80.00% | 80.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:568 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013).

§709. Bermuda and Zoysia Grass Seed Certification Standards (Formerly §157)

A. Field Standards

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| Factor | Foundation | Registered | Certified |
|---|------------|------------|-----------|
| Land Requirement | 5 yrs. | 1 yr. | 1 yr. |
| Isolation | 33 ft. | 33 ft. | 33 ft. |
| *Other Varieties (per 1,000 plants) | None | 1 plant | 3 plants |
| Noxious Weeds: Johnsongrass, Cheat and Nutgrass | None | None | None |
| *Including all other Bermuda and Zoysia grass that can be differentiated from the variety to be certified | | | |

B. Planting Stock Standards

| Factor | Foundation | Registered | Certified |
|---|------------|------------|-----------|
| Pure Live Sprigs containing roots (minimum by count) | 90.00% | 90.00% | 90.00% |
| Other Living Plants (maximum by count) | 2.00% | 2.00% | 2.00% |
| Noxious Weeds: Johnsongrass, Cheat and Nutgrass | None | None | None |

C. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|---------------|---------|------------|------------|-----------|
| Pure Seed | None | 98.00% | 98.00% | 98.00% |
| Inert Matter | None | 2.00% | 2.00% | 2.00% |
| Other Crops | None | 0.01% | 0.01% | 0.25% |
| Noxious Weeds | None | None | None | None |
| Other Weeds | None | 0.01% | 0.01% | 0.05% |
| Germination | None | 85.00% | 85.00% | 85.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:568 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013).

§711. Dallis Grass Seed Certification Standards (Formerly §167)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|------------------|--------------------|--------------------|---------------------|
| Land Requirement | 5 yrs. | 3 yrs. | 3 yrs. |
| Isolation | 60 ft. | 50 ft. | 50 ft. |
| Other Crops | 10 Plants per Acre | 10 Plants per Acre | 100 Plants per Acre |

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|-------------|
| Pure Seed | 40.00% | 40.00% | 40.00% |
| Inert Matter | 60.00% | 60.00% | 60.00% |
| Other Varieties | 0.10% | 1.00% | 2.00% |
| Other Crops | None | None | 10 seed/lb. |
| Noxious Weeds | None | None | None |
| Germination | 50.00% | 50.0% | 50.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:571 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2716 (October 2013).

§713. Annual Ryegrass Seed Certification Standards (Formerly §169)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|------------------|------------|------------|-----------|
| Land Requirement | 5 yrs | 1 yr. | 1 yr. |
| Isolation | 900 ft. | 900 ft. | 350 ft. |
| Other Varieties | None | 1.00% | 2.00% |
| Other Crops | 0.10% | 0.20% | 0.30% |

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|-----------|
| Pure Seed | 97.00% | 97.00% | 96.00% |
| Inert Matter | 3.00% | 3.00% | 4.00% |
| Other Varieties | 0.10% | 1.00% | 2.00% |
| Other Crops | 0.10% | 0.25% | 0.25% |
| Noxious Weeds | None | None | None |
| Other Weeds | 0.25% | 0.25% | 0.25% |
| Germination | 85.00% | 85.00% | 85.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:572 (November 1982), amended LR 9:197 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2717 (October 2013).

§715. California Bulrush (*Schoenoplectus californicus*) Clonally Propagated Plant Certification Standards (Formerly §171)

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates or tags shall accompany each shipment of certified vegetatively propagated stock.

B. DNA Fingerprinting Requirements

1. DNA fingerprinting samples shall be taken by LDAF and submitted to an LDAF approved laboratory for testing in accordance with the following guidelines:

a. Foundation Class

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i. Fingerprinting is required within one year of transplant and every other year thereafter.

ii. Ponds—one sample/1000 sq. ft., with a minimum of five samples per pond.

iii. Containers—10 percent, with a minimum of five samples.

b. Registered Class

i. Fingerprinting is required within one year of transplant and every three years thereafter.

ii. Ponds—one sample/1000 sq. ft., with a minimum of five samples per pond.

iii. Containers—5 percent, with a minimum of five samples.

c. Certified Class—certified class is not required to be DNA fingerprinted.

2. LDAF shall have the right to re-inspect, re-sample and re-test production ponds or containers/tanks that are out-of-tolerance for DNA fingerprinting prior to final certification. Resampling of plots or containers/tanks that are out-of-tolerance for DNA fingerprinting shall be at the request of the producer.

3. Additional DNA fingerprinting samples shall be required of a certified grower when the integrity of the genetic purity of a production plot or container/tank has been jeopardized by any means prior to final certification.

C. Production Requirements. To be eligible for the production of all certified classes, production ponds and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of California bulrush and noxious and objectionable weeds.

1. Pond Requirements

a. Ponds shall be contained by levees.

b. Only one variety shall be grown per pond.

c. Ponds of different varieties must be separated by the minimum isolation distance at all points.

d. Ponds must have individual water supplies and water drainage capabilities for each produced variety.

e. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

2. Container/Tank Requirements

a. Soil used for container/tank production shall:

i. come from an area that has not produced California bulrush for a minimum of one year; and

ii. be free of visible California bulrush rhizomes and stems prior to transplanting.

b. Only one variety shall be grown per container/tank.

c. Different varieties shall be grown in separate tanks and shall have individual water supplies and drainage capabilities.

d. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

D. Grower Inspections

1. Ponds and containers shall be inspected by grower to ensure that all requirements of this Section are being met.

E. LDAF Inspections. Production ponds and containers/tanks shall be made accessible for inspection by the grower.

1. Ponds and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure ponds and containers/tanks are free of volunteer California bulrush plants and noxious and objectionable weeds. All ponds and containers/tanks shall be non-flooded at time of pre-plant inspection.

2. Ponds and containers/tanks shall be inspected by LDAF a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

F. Field Standards Production Ponds/Containers/Tanks

| Factor | Foundation | Registered | Certified |
|---|--|--|--|
| Maximum Unit Life ⁽¹⁾ | 4 years | 6 years | Unlimited |
| Land Requirements | 1 year | 1 year | 1 year |
| Isolation: | | | |
| Pond Production | 20 ft. | 20 ft. | 20 ft. |
| Tank Production | One variety per tank | One variety per tank | One variety per tank |
| Container Production | Different varieties must be separated and clearly identified | Different varieties must be separated and clearly identified | Different varieties must be separated and clearly identified |
| Plant Variants: | | | |
| Fingerprints | 1% | 2% | Not Applicable |
| Visual Inspections | 3 plants per 5,400 ft ² | 5 plants per 5,400 ft ² | 10 plants per 5,400ft ² |
| Harmful Diseases ⁽²⁾ | None | None | None |
| Noxious or Objectionable Weeds ⁽³⁾ | None | None | ≤ 5 plants per 5,400 ft ² |
| Other Crops ⁽⁴⁾ | None | None | ≤ 5 plants per 5,400 ft ² |

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(1) Production unit life from date of transplant. No maximum age for a certified class production unit so long as the unit continues to meet all requirements of this Section.

(2) Diseases determined in accordance with the Louisiana Ag Experimental Station and LDAF to seriously affect the quality of seed or vegetatively propagated stock.

(3) Including, but not limited to following weed species: *Cyperus spp.* (Sedge), *Eleocharis spp.* (Spikerush), *Phragmites australis* (Roseau cane), *Typha spp.* (Cattail).

(4) Including, but not limited to the following crop species: *Spartina alterniflora* (Smooth cordgrass), *Spartina patens* (Marshhay cordgrass), *Spartina cynosuroides* (Big cordgrass), *Spartina spartinae* (Gulf cordgrass), *Distichlis spicata* (Saltgrass), *Paspalum vaginatum* (Seashore paspalum).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2980 (October 2011), LR 39:1759 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2717 (October 2013), amended LR 40:751 (April 2014).

§717. Sea Oats (*Uniola paniculata*) Clonally Propagated Plant Certification Standards (Formerly §183)

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates shall accompany each shipment of certified vegetatively propagated stock.

B. Production Requirements. To be eligible for the production of all certified classes, plots and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of sea oats and noxious and objectionable weeds.

1. Plot Requirements

a. Only one variety of sea oats shall be grown per plot.

b. Plots of different varieties must meet the minimum isolation distance at all points.

c. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

2. Container/Tank Requirements

a. Soil used for container/ tank production shall:

i. come from an area that has not produced sea oats for a minimum of one year

ii. be free of visible sea oats rhizomes and stems prior to transplanting.

b. Only one variety of sea oats shall be grown per production tank.

c. Different varieties shall be grown in separate tanks units unless individual varieties are separated by solid sided partition that will not allow rhizomes or stem material to spread between or within tank units.

d. All seed heads shall be routinely removed from plants after flowering begin to ensure viable seed are not produced.

C. Grower Inspections. Plots and containers shall be routinely inspected by grower to ensure that all requirements of this Section are being met.

D. LDAF Inspections. Production plots and containers/tanks shall be made accessible for inspection by the grower.

1. Plots and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure they are free of volunteer sea oat plants and noxious and objectionable weeds.

2. Plots and containers shall be inspected by LDAF inspectors a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

E. Field Standards—Production Plots/Containers/Tanks

| Factor | Foundation | Registered | Certified |
|---|--|--|--|
| Maximum Unit Life ⁽¹⁾ | 4 years | 6 years | Unlimited |
| Land Requirements | 1 year | 1 year | 1 year |
| Isolation: | | | |
| Plot Production | 30 ft. | 30 ft. | 30 ft. |
| Tank Production | One variety per tank | One variety per tank | One variety per tank |
| Container Production | Different varieties must be separated and clearly identified | Different varieties must be separated and clearly identified | Different varieties must be separated and clearly identified |
| Plant Variants | 3 plants per 5,400 ft ² | 5 plants per 5,400 ft ² | 10 plants per 5,400 ft ² |
| Harmful Diseases ⁽²⁾ | None | None | None |
| Noxious or Objectionable Weeds ⁽³⁾ | None | None | ≤ 5 plants per 5,400 ft ² |
| Other Crops ⁽⁴⁾ | None | None | ≤ 5 plants per 5,400 ft ² |

(1) Maximum production unit life from transplant date. No maximum age for a certified production unit so long as the unit continues to meet all requirements of this Section.

(2) Diseases determined in accordance with the Louisiana Ag Experiment Station and the LDAF to seriously affect the quality of seed or vegetatively propagated stock.

(3) Including but not limited to the following weed species: *Cyperus spp.* (Sedges), *Panicum repens* (Torpedograss), *Phragmites australis* (Roseau cane), *Fimbristylis spp.* (*Fimbristylis*), *Tamarix spp.* (Salt cedar), *Cenchrus spp.* (Sandbur), *Suaeda linearis* (Sea-blite), *Acacia farnesiana* (Sweet acacia).

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(4) Including but not limited to the following crop species: *Spartina patens* (Marshhay cordgrass), *Spartina Spartinae* (Gulf cordgrass), *Sporobolus virginicus* (Dropseed), *Distichlis spicata* (Saltgrass), *Schizachyrium maritimum* (Seacoast bluestem), *Paspalum vaginatum* (Seashore paspalum), *Panicum amarum* (Beach panicgrass).

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2982 (October 2011), LR 39:1760 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2718 (October 2013), amended LR 40:752 (April 2014).

**§719. Smooth Cordgrass (*Spartina alterniflora*)
Certification Standards
(Formerly §193)**

A. LDAF shall issue numbered certified bulk sales certificates or tags when requested to do so by a grower who has met the requirements and standards set forth in this Section. The numbered certified certificates or tags shall accompany each shipment of certified seed or vegetatively propagated material.

B. Definitions. The following words and terms when used in this Section, shall have the following meanings, unless the context clearly indicates otherwise.

Generation 1 (G1)—the vegetative increase of tested class G0.

Generation 2 (G2)—the seed production or vegetative increase of tested class G1.

Generation 3 (G3)—the seed production of tested class G1 or G2.

Tested Germplasm—the progeny of plants whose parentage has been tested and has proven genetic superiority or possess distinctive traits for which the heritability is stable.

C. DNA Fingerprinting Requirements

1. DNA fingerprinting samples shall be taken by the LDAF and submitted to an LDAF-approved laboratory for testing in accordance with the following guidelines:

a. Foundation and Tested Generation One (G1)

i. Fingerprinting is required within one year of transplant and every other year thereafter.

ii. Ponds—one sample/1000 ft², with a minimum of five samples per pond.

iii. Containers—10 percent, with a minimum of five samples.

b. Registered and Tested Generation Two (G2)

i. Fingerprinting is required within one year of transplant and every three years thereafter.

ii. Ponds—one sample/1000 ft², with a minimum of five samples per pond.

iii. Containers—five percent, with a minimum of five samples.

c. Certified and Tested Generation Three (G3)

i. Fingerprinting is required within one year of transplant and every five years thereafter.

ii. Ponds—one sample/1000 ft², with a minimum of five samples per pond.

iii. Containers—five percent, with a minimum of five samples.

d. Seed Production Ponds

i. Fingerprinting is required within one year of transplant to ensure that there are no clones other than those defined by the breeder.

ii. One sample/4400 square feet with a minimum of five samples.

2. LDAF shall have the right to re-inspect, re-sample and re-test production ponds and containers/tanks that are out-of-tolerance for DNA fingerprinting prior to final certification.

a. Resampling of ponds and containers/tanks that are out-of-tolerance for DNA fingerprinting shall be at the request of the producer.

3. Additional DNA fingerprinting samples shall be required of a certified grower when the integrity of the genetic purity of a production pond or container/tank has been jeopardized by any means prior to final certification.

D. Production Requirements. To be eligible for the production of all certified classes, production ponds and containers/tanks shall be left undisturbed for a minimum of four weeks prior to planting, and found to be free of smooth cordgrass and noxious and objectionable weeds.

1. Pond Requirements of Vegetatively Propagated Stock

a. Ponds shall be contained by levees;

b. Only one variety shall be grown per pond;

c. Ponds of different varieties must be separated by the minimum isolation distance at all points;

d. Ponds must have individual water supplies and water drainage capabilities for each produced variety;

e. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced;

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f. Vegetative production ponds of the “certified class” only may be located within natural tidal influenced areas.

2. Container/Tank Requirements of Vegetatively Propagated Plant Stock

- a. Soil used for container/tank production shall:
 - i. come from an area that has not produced smooth cordgrass for a minimum of one year; and
 - ii. be free of visible smooth cordgrass rhizomes and stems prior to transplanting.
- b. Only one variety shall be grown per container/tank.
- c. Different varieties shall be grown in separate tanks and shall have individual water supplies and drainage capabilities.
- d. All seed heads shall be routinely removed from plants after flowering begins to ensure viable seed are not produced.

3. Seed Production Pond Requirements

- a. Ponds shall be contained by levees.
- b. Ponds containing different varieties must be separated by the minimum isolation distance at all points.

E. Grower Inspections

1. Production ponds, tanks, and containers shall be routinely inspected by the grower to ensure that all requirements of this Section are being met.

F. LDAF Inspections. Production ponds and containers/tanks shall be made accessible for inspection by the grower.

1. Production ponds and containers/tanks shall be inspected by LDAF within four weeks prior to transplanting to ensure production ponds and containers/tanks are free of volunteer smooth cordgrass plants and noxious and objectionable weeds. All ponds and containers/tanks shall be non-flooded at time of pre-plant inspection.

2. Shall be inspected by LDAF a minimum of once a year, after transplanting, to ensure that all requirements of this Section are being met.

3. Additional inspections may be performed at the discretion of LDAF at any time without prior notice.

G. Field Standards Production Ponds/Containers/Tanks

| Factor | Foundation and Tested G1 Germplasm | Registered and Tested G2 Germplasm | Certified and Tested G3 Germplasm | Seed Production Fields (All Generations) |
|----------------------------------|------------------------------------|------------------------------------|-----------------------------------|--|
| Maximum Unit Life ⁽¹⁾ | 4 years | 6 years | Unlimited | 5 years |
| Land Requirements | 1 year | 1 year | 1 year | 1 year |
| Isolation: | | | | |

| Factor | Foundation and Tested G1 Germplasm | Registered and Tested G2 Germplasm | Certified and Tested G3 Germplasm | Seed Production Fields (All Generations) |
|------------------------------------|--|--|--|--|
| Pond Production | 20 ft. | 20 ft. | 20 ft. | 1200 ft. |
| Tank Production | One variety per tank | One variety per tank | One variety per tank | N/A |
| Container Production | Different varieties must be separated and clearly identified | Different varieties must be separated and clearly identified | Different varieties must be separated and clearly identified | N/A |
| Plant Variants: | | | | |
| DNA Fingerprints | 1% | 2% | 25% | 25% |
| Visual Inspections | 3 plants per 5,400 ft ² | 5 plants per 5,400 ft ² | 10 plants per 5,400 ft ² | 10plants per 5,400 ft ² |
| Harmful Diseases (2) | None | None | None | None |
| Noxious or Objectionable Weeds (3) | None | None | ≤ 5 plants per 5,400 ft ² | ≤ 5 plants per 5,400 ft ² |
| Other crops (4) | None | None | ≤ 5 plants per 5,400 ft ² | ≤ 5 plants per 5,400 ft ² |

(1) Production unit life from date of transplant. No maximum age for a certified class production unit so long as the unit continues to meet all requirements of this Section.

(2) Diseases determined in accordance with the Louisiana Ag Experiment Station and LDAF to seriously affect the quality of seed or vegetatively propagated stock.

(3) Including, but not limited to the following weed species: *Salvinia* spp. (Salvinia), *Cyperus* spp. (Sedge), *Eleocharis* spp. (Spike rush), *Phragmites australis* (Roseau cane), *Typha* spp. (Cattail).

(4) Including, but not limited to the following crop species: *Spartina patens* (Marshhay cordgrass), *Spartina cynosuroides* (Big cordgrass), *Spartina spartinae* (Gulf cordgrass), *Distichlis spicata* (Saltgrass), *Schoenoplectus californicus* (California bulrush), *Paspalum vaginatum* (Seashore paspalum).

H. Seed Standards

1. All generations of seed shall contain a pure seed content, excluding coating material, of not less than 90 percent.

2. All seed packages shall be labeled in such a manner as to meet the minimum seed labeling requirement of the Seed Law, this Part, and the Federal Seed Act and accompanying rules and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 37:2983 (October 2011), LR 39:1761 (July 2013), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2720 (October 2013), amended LR 40:753 (April 2014).

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§721. Tall and Meadow Fescue Seed Certification Standards (Formerly §211)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|------------------|--------------------|--------------------|---------------------|
| Land Requirement | 5 yrs. | 2 yrs. | 2 yrs. |
| Isolation | 900 ft. | 330 ft. | 330 ft. |
| Other Varieties | 10 Plants per Acre | 10 Plants per Acre | 100 Plants per Acre |

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|-------------|-------------|--------------|
| Pure Seed | 98.00% | 98.00% | 95.00% |
| Inert Matter | 2.00% | 2.00% | 5.00% |
| Other Varieties | 0.01% | 1.00% | 2.00% |
| Other Crops | None | None | 10 seed/lb. |
| Noxious Weeds | None | None | None |
| Other Weeds | 50 seed/lb. | 50 seed/lb. | 360 seed/lb. |
| Germination | 80.00% | 80.00% | 80.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:586 (November 1982) amended LR 9:197 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2721 (October 2013).

§723. Turf and Pasture Grass Certification Standards (Formerly §219)

A. Classes of Seed. The word *seed* shall be understood to include all propagated materials in this Section.

1. Foundation shall be the vegetative increase of Breeder seed.

2. *Registered shall be the vegetative increase of Foundation seed.

3. Certified shall be the vegetative increase of Registered seed.

*A grower may increase his acreage on his own farm on a limited basis with the approval of LDAF.

B. Land Requirements

1. Sod and Sprigs (pre-planting inspections)

a. A field to be eligible for the production of all certified classes of sod shall be left undisturbed for a minimum of four weeks prior to planting and found to be free of noxious and objectionable weeds.

b. A recommended soil fumigation may be applied by a licensed applicator, followed by an inspection by LDAF a minimum of four weeks after the application, to ensure no

emergence of noxious and objectionable weeds prior to planting.

C. Field Inspections. Turf Grasses and Pasture Grasses entered into the certification program shall be inspected at least three times a year: first (April-May); second (August-September); third (December-January) to ensure the quality of the grasses has met or exceeded the minimum standards set forth in these regulations. If a field is found to be deficient in meeting the standards then the producer has the option of spot roguing the undesirable, if LDAF deems possible, and call for a re-inspection of the crop.

D. Field Standards

| Factor | Foundation | Registered | Certified |
|--------------------------------------|------------|-------------------------|---------------------------|
| Turf Grasses (Sprigs and Sod) | | | |
| Other Varieties | None | None | 1 Plant/ 1000 sq. ft. |
| Other Crops | None | None | 1 Plant/ 1000 sq. ft. |
| Noxious and Objectionable Weeds | None | None | None |
| Harmful Diseases | None | None | None |
| Isolation | 6 ft. | 6 ft. | 6 ft. |
| Pasture Grass (Sprigs) | | | |
| Other Varieties | None | 1 Plant/ 1000 sq.ft. | 3 Plants/ 1000 sq.ft. |
| Other Crops | None | None | 3 Plants/ 1000 sq. ft. |
| Noxious and Objectionable Weeds | None | None | None |
| Harmful Diseases | None | None | None |
| Isolation | 30 ft. | 30 ft. | 30 ft. |

1. Other varieties consist of other strains of the species that can be differentiated from the variety or varieties that are being inspected.

2. Noxious and objectionable weeds. Noxious and objectionable weeds are with the inclusions of, but not limited to, the following plants: Virginia button weed (*Diodia virginiana*); dallisgrass (*Paspalum dilatatum*); crabgrass (*Digitaria spp.*); goosegrass (*Eleusine indica*); bahiagrass (*Paspalum notatum*); torpedograss (*Panicum repens*); nutgrass (*Cyperus esculentus, C. rotundus*).

3. Harmful Diseases. Harmful diseases are diseases that seriously affect the quality of grasses and are transmitted by planting stock.

4. Isolation. Isolation shall be a barren strip or an approved crop to maintain purity without the risk of contamination.

E. Planting Stock Standards

| Factor | Foundation | Registered | Certified |
|-------------------|------------|------------|-----------|
| Turf Grass | | | |
| Pure Live Plants | 90.00% | 90.00% | 90.00% |

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| Factor | Foundation | Registered | Certified |
|--|------------|------------|-----------|
| Noxious and Objectionable Weeds | None | None | None |
| Other Varieties | None | 0.05% | 0.05% |
| Other Crop | None | None | 0.05% |
| Harmful Diseases | None | None | None |
| Pasture Grass | | | |
| Pure Live Sprigs containing roots (minimum by count) | 90.00% | 90.00% | 90.00% |
| Other Live Plants (maximum by count) | 2.00% | 2.00% | 2.00% |
| Noxious Weeds | None | None | None |

F. Reporting System

1. Issuing Certificates

a. The grower will be issued numbered certificates of certification and tags by LDAF upon request that must accompany each load of certified grass sold.

b. The grower is responsible for completing the forms and returning the appropriate copies to LDAF within 10 working days of issuance.

2. Tagging System

a. Upon meeting the standards set forth in these regulations the certified crop must have attached to the invoice two tags:

- i. one from the seed certification division; and
- ii. one from the horticulture division of LDAF.

b. This two-tag system shall distinguish the crop to have met or exceeded the requirements set by both divisions of LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 9:204 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 16:847 (October 1990), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2721 (October 2013), amended LR 40:755 (April 2014), repromulgated LR 40:992 (May 2014).

§725. Vetch Seed Certification Standards (Formerly §221)

A. Classes of Vetch Seed

1. Non-Reseeding Varieties. Recognized certified seed classes shall be breeder, foundation, registered and certified vetch seed.

2. Hard-Seeded Varieties. Whenever a field of hard-seeded vetch has been established to produce either breeder, foundation, registered or certified seed, the same certified seed class can be produced from that field as long as it remains in production and meets minimum seed certification standards.

B. Field Inspection. Field inspection shall be made at flowering time or before harvest when off-types and varietal mixtures can best be identified.

C. Field Standards

| Factor | Foundation | Registered | Certified |
|---|-------------|-------------|-----------|
| Land Requirement | 5 yrs. | 3 yrs. | 2 yrs. |
| Isolation | 10 ft. | 10 ft. | 10 ft. |
| Self-Pollinating Varieties Cross-Pollinating Varieties | 400 ft. | 400 ft. | 400 ft. |
| Other Varieties and Off-Types | 1 per 1,000 | 1 per 400 | 1 per 100 |
| Other Crops | 1 per 4,000 | 1 per 2,000 | 1 per 400 |
| Noxious Weeds (inseparable) | None | None | None |

D. Seed Standards

| Factor | Foundation | Registered | Certified |
|-------------------|------------|------------|-----------|
| Pure Seed | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% |
| Total Other Crops | 0.35% | 0.75% | 1.50% |
| Other Varieties | 0.10% | 0.25% | 1.00% |
| Noxious Weeds | None | None | None |
| Other Weeds | 0.10% | 0.25% | 0.25% |
| Germination | 80.00% | 80.00% | 80.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 9:205 (April 1983), amended LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986, repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2722 (October 2013).

§§727.-739. Reserved.

Subchapter B. Grain and Row Crop Seeds

§741. Cottonseed Seed Certification Standards (Formerly §165)

A. Field Standards

| Factor | Breeder | Foundation | Registered | Certified |
|-------------------------------------|---------|-------------------|-------------------|--------------------|
| Isolation** | | 15 ft. | 15 ft. | 15 ft. |
| Other Varieties and Off-Type Plants | None | None | 1 Plant per Acre | 5 Plants per Acre |
| Noxious Weeds: Cocklebur | None | 5 Plants per Acre | 8 Plants per Acre | 10 Plants per Acre |

**Fields entered for certification must be isolated at least 600 feet from Sea Island cotton, red leaf cotton, or other cottons which vary greatly in plant characteristics from the variety entered for certification, and at least one-half mile from *G. barbadense* and interspecific hybrids involving *G. barbadense*.

B. Handling and Storage Requirements

1. Ginning. Cottonseed in all classes of certification, to be certified, shall be ginned on a thoroughly cleaned, one-

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variety gin approved by LDAF prior to ginning. With special permission of the Department of Agriculture and Forestry:

a. cottonseed for all classes of certification may be ginned on thoroughly cleaned, mixed variety gins either with:

i. a notarized ginner's agreement previously approved by LDAF, or

ii. in the presence of a LDAF inspector.

b. cottonseed produced for only the certified class may be ginned on a mixed-variety gin if a minimum of three bales are "blown" through the gin prior to catching of the cottonseed to be certified. An inspector of LDAF may be present if cottonseed for certification is ginned under special permission.

2. Delinting. Delinters must conform to the same requirements set forth for ginners. No cottonseed entered for certification may be delinted outside the state of Louisiana except by special permission of LDAF.

C. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|-----------------|---------|------------|---------------|---------------|
| Pure Seed | 99.00% | 99.00% | 99.00% | 99.00% |
| Inert Matter | 1.00% | 1.00% | 1.00% | 1.00% |
| Other Varieties | None | 0.03% | 0.05% | 0.10% |
| Other Crops | None | None | 3 seed/lb. | 5 seed/lb. |
| Noxious Weeds: | | | | |
| Cocklebur | None | None | 1 seed/2 lbs. | 1 seed/2 lbs. |
| Germination | None | 70.00% | 70.00% | 70.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, LR 8:570 (November 1982), amended LR 9:199 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:156 (March 1987), repromulgated LR 13:232 (April 1987), amended LR 18:954 (September 1992), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:3060 (November 2013), amended LR 40:755 (April 2014), repromulgated LR 40:993 (May 2014).

§743. Hybrid Seed Corn Certification Standards (Formerly §173)

A. Eligibility Requirements. Hybrid corn may be one of the following.

1. *Single Cross*—the first generation hybrid between two inbred lines.

2. *Double Cross*—the first generation hybrid between two single crosses.

3. *Three-Way Cross*—a first generation hybrid between a single cross and an inbred line.

4. *Top Cross*—the first generation hybrid of a cross between an inbred line and an open-pollinated variety or the first generation hybrid between a single cross and an open-pollinated variety.

5. *Foundation Single Cross*—a single cross used in the production of a double cross, a three-way, or a top cross.

B. Field Inspection

1. Seed fields shall be inspected at least once prior to the pollination period for purity as to plant type. Any off-type or doubtful plants must be destroyed before they shed pollen.

2. At least three field inspections shall be made during the pollinating period, said inspections to be made without previous notification to the grower.

C. Field Standards

1. Unit of Certification. The entire acreage of any one specific commercial hybrid must be entered for certification.

2. Isolation Requirements. Fields in which commercial hybrid corn is being produced must be so located that the female parent is not less than 660 feet in all directions from other corn of a different kernel color or type (sweet, pop, flint, white, red, etc.).

3. Border Rows. When the kernel type and color of the corn in the contaminating field are the same as those of the parent in the crossing field, the isolation distance may be modified by the planting of border rows of the pollen parent. The following table indicates the minimum number of border rows required for fields of various sizes when located at different distances from other corn.

| Minimum Distance from Other Corn | Field Size | |
|----------------------------------|-----------------------|------------------|
| | 1 to 20 acres | 20 acres or more |
| Feet | (Minimum) Border Rows | |
| 410 | 0 | 0 |
| 370 | 2 | 1 |
| 330 | 4 | 2 |
| 290 | 6 | 3 |
| 245 | 8 | 4 |
| 205 | 10 | 5 |
| 165 | 12 | 6 |
| 125 | 14 | 7 |
| 85 | 16 | 8 |
| 0 | | 10 |

a. The above isolation requirements do not apply to crossing fields when the same male or pollen parent is used in each. In such cases the two fields must be clearly divided by use of an area not less than 14 feet or a natural boundary which is permanent and distinctive (e.g., ditch, road, headland, etc.).

4. Detasseling

a. A commercial hybrid will be disqualified for certification when 5 percent or more of the female seed parent plants have receptive silk:

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i. if more than 1 percent of the female seed parent plants have shed pollen on one inspection; or

ii. if a total of 2 percent of the female seed parent plants have shed pollen on three inspections.

b. Sucker tassels, portions of tassels or tassels on main plants will be counted as shedding pollen when 2 inches or more of the central stem, the side branches, or a combination of the two have anthers extended from the glumes. In cases where a few silks are out and tassels of the seed parent have begun to shed pollen, the field can be approved by immediate and complete detasseling of the seed parent and removal of the ear shoots with exposed silks, if done to the satisfaction of LDAF.

D. Seed Standards

| Factor | Certified Class |
|-----------------------------|-----------------|
| Pure Seed | 98.00% |
| Inert Matter | 2.00% |
| Other Varieties | 0.50% |
| Noxious and Other Weeds | None |
| Off-Color, Off-Type Kernels | 0.10% |
| Germination | 90.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:572 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:156 (March 1987), repromulgated LR 13:232 (April 1987), amended LR 15:613 (August 1989), LR 20:643 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2723 (October 2013), amended LR 40:755 (April 2014), repromulgated LR 40:993 (May 2014).

§745. Seed Corn (Open-Pollinated) Seed Certification Standards (Formerly §175)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|---|------------|------------|-----------|
| Isolation | 1,200 ft. | 1,200 ft. | 1,200 ft. |
| Other Varieties | None | None | 0.50% |
| Off-type Plants | 0.20% | 0.20% | 0.50% |
| Does not apply to other corn with different maturity dates. | | | |

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-------------------------|------------|------------|------------|
| Pure Seed | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% |
| Other Crops | None | None | 5 seed/lb. |
| Other Varieties | None | None | 3 seed/lb. |
| Noxious and Other Weeds | None | None | None |
| Germination | 80.00% | 80.00% | 80.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:574 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:200 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013).

§747. Millet Seed Certification Standards (Formerly §177)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|------------------|------------|------------------|--------------------|
| Land Requirement | 1 yr. | 1 yr. | 1 yr. |
| Isolation | 1,320 ft. | 1,320 ft. | 825 ft. |
| Other Varieties | None | 1 Plant per Acre | 10 Plants per Acre |

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|-------------|
| Pure Seed | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% |
| Other Crops | None | None | None |
| Other Varieties | None | 5 seed/lb. | 10 seed/lb. |
| Noxious Weeds | None | None | None |
| Other Weeds | 5 seed/lb. | 5 seed/lb. | 5 seed/lb. |
| Germination | 75.00% | 75.00% | 75.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013).

§749. Rice Seed Certification Standards (Formerly §185)

A. Isolation Requirements

1. Fields offered for certification must be clearly separated from other fields by a ditch, levee, roadway, fence, or barren strip a minimum of 10 feet if the adjoining crop is the same variety and class.

2. In addition to the preceding regulations, the following isolation distances will pertain if the adjoining crop is a different class or different variety.

| Number of Feet from Same Variety/Different Class Planted by | | | |
|---|-----------|-------------|----------|
| Ground | | Air | |
| Drill | Broadcast | Right Angle | Parallel |
| 10 | 10 | 1,320 | 10 |

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| Number of Feet from Other Varieties/All Classes Planted by | | | |
|--|-----------|-------------|----------|
| Ground | | Air | |
| Drill | Broadcast | Right Angle | Parallel |
| 20 | 100 | 1,320 | 100 |

3. Any part of the applicant's field or fields which are closer than these distances must be harvested prior to final inspection or plowed up. Failure to comply with this requirement will disqualify the entire field.

B. Field Standards

| Factor | Breeder | Foundation | Registered | Certified |
|--|---------|------------|--------------------|----------------------|
| Land Requirement | 1 yr. | 1 yr. | 1 yr. | 1 yr. |
| Other Varieties | None | None | 10 Plants per Acre | 25 Plants per Acre |
| Harmful Diseases | None | None | None | None |
| Noxious Weeds: Red Rice (including Black Hull Rice) | None | None | None | 1 Plant per 10 Acres |
| Spearhead | None | None | None | 2 Plants per Acre |
| Curly Indigo | None | None | 4 Plants per Acre | 4 Plants per Acre |
| *Diseases seriously affecting quality of seed and transmissible by planting stock. | | | | |

C. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|--|---------|------------|-------------|-------------|
| Pure Seed | 98.00% | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% | 2.00% |
| Other Crops, including Other Varieties | None | None | None | 2 seed/lb. |
| Off-Color Grains, if of similar size, quality and maturity | None | 5 seed/lb. | 10 seed/lb. | 20 seed/lb. |
| Noxious Weeds: Red Rice (including Black Hull Rice) | None | None | None | None** |
| Spearhead, Curly Indigo and Mexican Weed | None | None | None | None |
| Other Weeds | 0.05% | 0.05% | 0.05% | 0.10% |
| Germination | | 80.00% | 80.00% | 80.00% |
| **Four pounds shall be hulled from each lot to determine red rice content. | | | | |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:576 (November 1982), amended LR 9:201 (April 1983), LR 9:754 (November 1983), LR 10:495 (July 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 13:157 (March 1987), LR 13:233 (April 1987), LR 14:606 (September 1988), LR 14:694

(October 1988), LR 15:613 (August 1989), LR 19:888 (July 1993), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013).

§751. Seed Irish Potato Certification Standards (Formerly §187)

A. Inspections

- At least two field inspections shall be made.
- An inspection shall be made of the tubers at the time of shipment.

B. Field Standards

| Factor | Foundation | Registered | Certified |
|---|------------|------------|-----------|
| Land Requirement | 1 yr. | 1 yr. | 1 yr. |
| Isolation | 10 ft. | 10 ft. | 10 ft. |
| Other Varieties and Off-type Plants | None | None | 0.10% |
| Diseases* | 0.20% | 0.20% | 0.20% |
| Mild Mosaic | 0.50% | 0.50% | 5.00% |
| Sclerotium Rolfsii Wilt | 0.50% | 0.50% | 1.00% |
| Potato Wart, Ring Rot, Late Blight | 1.00% | 1.00% | 1.00% |
| Total Diseases | 0.30% | 0.30% | 0.30% |
| Harmful Insects: Tuber Moth | None | None | None |
| *Rugose mosaic, leafroll, spindle tuber, yellow dwarf, witches' broom, haywire, giant hill, rosette, spinach leaf, curly dwarf. | | | |

C. Tuber Standards

| Factor | Foundation | Registered | Certified |
|--|------------|------------|-----------|
| Stem End Discoloration | 2.50% | 2.50% | 5.00% |
| Hair Sprout | 0.50% | 0.50% | 5.00% |
| Spindle Tuber | 0.20% | 0.20% | 1.00% |
| Scab and Rhizoctonia* | 6.00% | 6.00% | 6.00% |
| Net Necrosis | 0.50% | 0.50% | 5.00% |
| Late Blight, Golden and Potato Rot, Potato Wart and Ring Rot | 1.00% | 1.00% | 1.00% |
| Tuber Moth | None | None | None |
| Sclerotium Rolfsii Wilt | 0.50% | 0.50% | 1.00% |
| Nematodes (Root-Knot)** | 1.00% | 1.00% | 1.00% |
| *6 percent of tubers by weight have more than 5 percent of the surface covered by scab or rhizoctonia. | | | |
| **1 percent of tubers by weight showing nematode (root-knot) infection. | | | |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:577 (November 1982), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 20:643 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013).

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**§753. Seed Irish Potato Certification Standards
(Out-of-State)
(Formerly §189)**

A. Conditions governing shipment or movement of seed Irish potatoes into Louisiana shall conform to the following.

1. Seed Irish potatoes must have passed field and storage seed certification requirements of the proper certifying agency. The tolerances for insects and diseases shall be the same as those set forth in the certified seed regulation for seed Irish potatoes (§751).

2. Each container of seed moved into, offered for sale, or sold in Louisiana shall have attached thereto an official foundation, registered, or certified seed tag issued by the proper certifying agency in the state of origin.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:578 (November 1982, amended LR 9:201 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 14:606 (September 1988), LR 15:78 (February 1989), LR 20:644 (June 1994), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013).

**§755. Sweet Potato Certification Standards (Virus and Non Virus-Tested)
(Formerly §191)**

A. The standards for certification of virus-tested and non virus-tested sweet potatoes are the general seed certification standards for roots, plants and cuttings as adopted in Subchapter B of this Part and the following specific standards.

B. The following definitions apply to this Section only.

Certified G0 Plant—a plant grown in a greenhouse and which has been produced by a certified greenhouse grower from a foundation plant.

Daughter Plant—a plant produced by cuttings from a mother plant.

Foundation Plant—a plant that has been produced by the LAES from a virus-tested nuclear stock plant recognized by LDAF if the plant is grown in a greenhouse under strict isolation in a screen cage in which only plants that are virus-tested are grown.

Mericlone—plants clonally propagated from a single meristem tip. For example, *mericlone* B-63 includes all plants descended from the sixty-third meristem-tip culture derived from the variety Beauregard.

Micropropagated—plant multiplication in vitro. The process includes many steps; stock plant care, explant selection and sterilization, media manipulation to obtain proliferation, rooting, acclimation, and growing on. Sweet

potato is most commonly micropropagated in tissue culture by aseptic transfer of stem segments containing 1-3 nodes to sterile tissue culture medium.

Mini-Roots—storage roots produced on plants grown in certified G0 greenhouses that may be used to establish certified G2 field plantings.

Mother Plant—a plant obtained from LAES.

Nuclear Stock Plant—plant that is derived from Source Seed and which has been micropropagated, virus-tested, is apparently free of other pests, and has been evaluated in field test for trueness to variety.

Source Seed—material entering the LAES seed program obtained by methods acceptable to LDAF.

Symptomatic Plant—a plant that shows an indication or symptom of a disease, mutation, pest, virus, or other problem that may affect sweet potato production.

Vine Cutting—a section of a vine, preferably 10-12 inches in length, capable of being transplanted.

Virus-Tested—a plant that has been previously tested for the presence of viruses by grafting a sweet potato shoot to the Brazilian morning glory (*Ipomoea setosa*) on at least three separate occasions and by at least one negative assay by the DNA and PCR assay for sweet potato geminiviruses using the Li et al. method (Li, R., Salih, S., and Hurtt, S. 2004. Detection of geminiviruses in sweet potato by polymerase chain reaction. Plant Dis. 88:1347-1351).

C. Plant Generations

1. Mother plants may be cut repeatedly for no more than five months and the cuttings propagated to produce daughter plants.

2. Daughter plants may be cut repeatedly for no more than five months and the cuttings propagated to produce additional daughter plants. All daughter plants shall be designated as certified G0 and may be used to establish certified G1 field plantings.

3. All plants, vine cuttings and roots produced from mini-roots shall be designated as certified G2.

4. Certified G1 (field generation 1) plantings will be established from certified G0 plants. Vine cuttings may be taken repeatedly from this original G1 planting, to establish a second G1 planting. Vine cuttings may be taken repeatedly from the second G1 planting to establish a third G1 planting. No additional plantings may be established from this third G1 planting. All vine cuttings and roots produced during this first year of field production shall be designated as certified G1.

5. Certified G2 (field generation 2) plantings will be established from certified G1 stocks. Vine cuttings may be taken repeatedly from this original G2 planting, to establish a second G2 planting. Vine cuttings may be taken repeatedly

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from the second G2 planting, to establish a third G2 planting. No additional plantings may be established from this third G2 planting. All vine cuttings and roots produced during this second year of field production shall be designated as certified G2.

6. Certified G3 (field generation 3) plantings will be established from certified G2 stocks. Vine cuttings may be taken repeatedly from this original G3 planting, to establish a second G3 planting. Vine cuttings may be taken repeatedly from the second G3 planting to establish a third G3 planting. No additional plantings may be established from this third G3 planting. All vine cuttings and roots produced during this third year of field production shall be designated as certified G3.

D. Greenhouse Requirements for Certification of Virus-Tested Sweet Potatoes

1. LDAF must approve greenhouses before mother plants are released to the grower.

2. Mother plants grown in a greenhouse shall be kept isolated in screen cages.

3. Greenhouses used for production of mother plants shall meet the following requirements.

a. The entry points shall use a set of double doors.

b. A system for sanitizing hands and feet prior to entry into the growing areas of the greenhouse.

c. Yellow sticky traps shall be used to monitor aphids and other insects.

d. Screens of such mesh as to prevent entry of aphids shall cover all openings (vents, fans, windows, etc.).

e. A legible signs shall be prominently placed in front of every entrance to each greenhouse so as to be clearly visible by workers and other persons warning them that they shall not enter, if they are coming from the field or from non-certified greenhouses.

f. An integrated pest management program shall be in place to control aphids, whiteflies or other insects with sucking, mouthparts.

g. Cutting tools used in a greenhouse shall be decontaminated on a regular basis and shall always be decontaminated prior to being used on another group of stock plants or plant lots.

h. All growing medium, including benches, containers, etc. used in the greenhouse shall be cleaned by a method approved by LDAF.

i. All plants shall be removed from the greenhouse and the greenhouse kept free of plants for a minimum of six weeks between crop years.

j. No plants shall be allowed to grow within 10 feet of the greenhouse, except for turf grass used for stabilization of the soil.

k. No plants other than mother plants shall be allowed in the greenhouse.

1. Greenhouses shall be a minimum of 200 feet away from sweet potato storage sheds, cull piles or other potential sources of sweet potato viruses unless LDAF approves a closer distance.

m. Different varieties or mericlones must be clearly identified and separated.

4. Producer shall inspect vines twice weekly. If symptomatic plants are found, they shall be removed and destroyed and parent plants shall be inspected for disease symptoms. The grower shall keep a log showing that inspections were made and if plants were removed.

5. Producers shall inspect each greenhouse and its perimeter at least once weekly to ensure that the greenhouse isolation requirements are being met. LDAF shall be immediately notified if an inspection indicates that one or more of the isolation requirements have been breached.

6. LDAF shall inspect certified greenhouses at least once prior to cuttings going to the field and as needed if problems are observed. If symptomatic plants are found during these inspections the grower must rogue and dispose of these plants properly.

7. Once shipping of plants begins, final certification will not be allowed if symptomatic plants are found.

8. A unit of certification shall be the entire greenhouse and such unit cannot be divided for the purpose for certification.

9. Specific Greenhouse Requirements for the Certification of Virus-tested Sweet Potatoes

| Maximum Tolerance Allowed | | |
|---|---|---|
| Certified Presence or symptoms of: | Foundation Plants (LAES) | |
| | Bacterial Stem Rot (<i>Erwinia chrysanthemi</i>)* | 0 |
| Black Rot (<i>Ceratocystis fimbriata</i>)* | 0 | 0 |
| Scurf (<i>Monilochaetes infuscans</i>)* | 0 | 0 |
| Root-Knot Nematode (<i>Meloidogyne</i> spp.) | 0 | 0 |
| Feathery Mottle (sweet potato feathery mottle virus [SPFMV])* | 0 | 0 |
| Russet Crack (a strain of SPFMV)* | 0 | 0 |
| Internal Cork (a virus)* | 0 | 0 |
| Wilt (<i>Fusarium oxysporum</i> f. sp. <i>batatas</i>)* | 0 | 0 |
| Sweetpotato Weevil (<i>Cylas formicarius</i>) | 0 | 0 |
| Exotic or hazardous pests | 0 | 0 |
| Variety mixture | 0 | 0 |
| Off-types (mutations) | 0 | 0 |

*Plants or mini-roots exhibiting symptoms

E. Field Requirements for Certification of Virus-Tested and Non-Virus-tested Sweet Potatoes

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1. Seed Bed Inspections and Standards

a. A seed bed field shall contain only certified sweet potato plants.

b. Prior to planting, seed sweet potatoes shall be treated with an approved pesticide approved by LDAF and in accordance with recommendations from the LAES.

c. Seed beds shall be located at least 100 feet from where sweet potatoes were grown or bedded in the previous two years, and in such manner that there will be no wash from the previous two years' seed beds or fields; or treated in a manner satisfactory to LDAF.

d. At least one seed bed inspection shall be made by LDAF to determine that quality plants are being produced and that the plants are apparently free of injurious insects and harmful diseases. Additional seed bed inspection may be made by LDAF when deemed appropriate by LDAF.

2. Field Production for Certification of Virus-Tested and Non-Virus-Tested Sweet Potatoes

a. Sweet potato seed shall not be eligible for certification if produced on land which:

i. has produced sweet potatoes in the last two years;

ii. has received manure or sweet potato residue in the last two years;

iii. is subject to drainage from fields in which sweet potatoes have been grown in the last two years.

b. Isolation

i. Non virus-tested sweet potato seed production fields shall have a minimum isolation distance of 20 feet.

ii. Virus-tested sweet potato seed production fields shall be isolated by a minimum of 20 feet from sweet potato fields that contain certified but non virus-tested sweet potatoes, and by a minimum of 750 feet from non-certified and non virus-tested sweet potatoes.

iii. If the seed of two virus-tested varieties are grown in the same field, they must be clearly identified and separated by at least 20 feet.

iv. Nuclear stock plants shall be maintained under strict isolation in laboratory facilities approved by LDAF and maintained by LAES and/or any contracted micropropagation provider. The facilities shall be in a clean, dust-free building that is at least 250 feet from any sweet potato field or greenhouse.

c. An LDAF approved program shall be in place to control perennial morning glories (e.g. Ipomoea andurata, Bigroot Morning Glory, Ipomoea cordatotriloba sharp-pod or cotton Morning Glory), and volunteer sweet potato plants.

d. Different varieties or mericlones will be clearly identified and separated from each other by a minimum of 20 feet.

e. Each unit of sweet potatoes that has passed field inspection shall be marked or labeled at harvest to correspond with the field unit.

3. Inspections for Certification of Virus-Tested and Non-Virus-Tested Sweet Potatoes

a. The grower shall inspect fields weekly during the growing season and rogue any symptomatic plants that are found. LDAF shall be informed if any problems concerning certification requirements are found.

b. LDAF shall make a minimum of two inspections of each sweet potato seed production field during each growing season.

i. The first field inspection shall be made before vines have covered the ground so that symptomatic plants may be easily identified.

ii. The second inspection shall be made prior to harvest, but as close to harvest as is practical.

c. The unit of certification for production is a field and cannot be divided for the purpose for certification.

d. Specific Field Tolerance Requirements (Vine Inspection)

| Factor [†] | Maximum Tolerance Allowed | | | | | |
|------------------------|---------------------------|-----------|--------------|----------------|--------------|----------------|
| | G1 Plants | | G2 Plants | | G3 Plants | |
| | Virus-Tested | Certified | Virus-Tested | Certified | Virus-Tested | Certified |
| Bacterial Stem Rot | None | None | None | 5 plants/acre | None | 5 plants/acre |
| Fusarium Wilt | None | None | None | 5 plants/acre | None | 5 plants/acre |
| Sweetpotato Weevil | None | None | None | None | None | None |
| Exotic/Hazardous Pests | None | None | None | None | None | None |
| Off-Types (Mutations) | 0.05% | 0.05% | 0.05% | 0.05% | 0.10% | 10 plants/acre |
| Variety Mixture | None | None | None | 10 plants/acre | None | 10 plants/acre |

[†] If other severe factors are observed at time of inspection, rejection of all or a portion of a field may occur.

| Factor [†] | Maximum Tolerance Allowed | | | | | |
|---------------------|---------------------------|-----------|--------------|---------------|--------------|---------------|
| | G1 Plants | | G2 Plants | | G3 Plants | |
| | Virus-Tested | Certified | Virus-Tested | Certified | Virus-Tested | Certified |
| Bacterial Stem Rot | None | None | None | 5 plants/acre | None | 5 plants/acre |
| Fusarium Wilt | None | None | None | 5 plants/acre | None | 5 plants/acre |
| Sweetpotato Weevil | None | None | None | None | None | None |
| Exotic/Hazardous | None | None | None | None | None | None |

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| | | | | | | |
|-----------------------|-------|-------|-------|----------------|-------|----------------|
| Pests | | | | | | |
| Off-Types (Mutations) | 0.05% | 0.05% | 0.05% | 0.05% | 0.10% | 10 plants/acre |
| Variety Mixture | None | None | None | 10 plants/acre | None | 10 plants/acre |

† If other severe factors are observed at time of inspection, rejection of all or a portion of a field may occur.

F. Storage Requirement for Certification of Virus-Tested and Non-Virus-Tested Sweet Potatoes

1. The procedures for cleaning and sanitizing the structure where sweet potatoes grown for certification are to be stored shall be in accordance with recommendations from the LAES and approved by LDAF and before any such sweet potatoes are stored in the structure.

2. Sweet potatoes grown for certification shall be stored in new containers (crates, pallet boxes, etc.) or used containers that have been cleaned according to sanitation guidelines approved by LDAF.

3. Certified seed roots shall be stored in a separate room from any non-certified roots.

4. Sweet potatoes from different field units shall be separated in storage by an aisle at least two feet wide.

5. LDAF shall inspect a minimum of 20 percent of each lot of sweet potatoes entered for certification during the storage inspection.

G. General Standards for Plants and Seed Roots of Virus-tested and Non-Virus-tested Sweet Potatoes

1. Plants shall be:

- a. apparently free of injurious insects, harmful diseases or other significant pests;
- b. true to variety characteristics;
- c. of good color, fresh, firm, and strong; and
- d. of satisfactory size for commercial planting (cuttings approximately 10"-12" long).

2. All such cuttings will be made at least one inch above the surface of the soil or growing medium. Slips that have been pulled are not to be used to avoid the possibility of carrying pathogens or insects that can be present on stems below the soil surface.

3. Cuttings shall be loosely packed, shipped in an upright position in boxes, and shall not be shipped with non-certified sweet potato plants.

4. Seed Roots

- a. LDAF shall make one seed root storage inspection after harvest and before shipment.
- b. The minimum size shall be one inch in diameter, four inches in length and 30 ounces maximum weight.

c. Specific Seed Root Tolerance Standards of Virus-Tested and Non-Virus-Tested Sweet Potatoes

| Maximum Tolerance Allowed for Virus-tested and Non Virus-tested Sweet Potatoes | | |
|--|---|---------------------------|
| Presence or symptoms of: | G1 (Foundation) G2 (Certified) Seed Roots | G3 (Certified) Seed Roots |
| Surface rots (Fusarium spp.) and Soft Rots (Rhizopus spp.) | 5% | 5% |
| Bacterial Root Rot (Erwinia spp.) | none | None |
| Black Rot (Ceratomyces fimbriata) | none | None |
| Scurf (Monilochaetes infuscans) | 1.0% | 2.0% |
| Streptomyces soil rot (Streptomyces ipomoeae) | 2.5% | 5.0% |
| Root-Knot Nematode (Meloidogyne spp.) | 1.0% | 2.0% |
| Russet Crack (a strain of SPFMV) | None | None |
| Wilt (Fusarium oxysporum f. sp. batatas) | None | None |
| Sweetpotato Weevil (Cylas formicarius) | None | None |
| Exotic or hazardous pests | None | None |
| Variety Mixture | None | None |
| Off-types (mutations) | 0.20% | 0.50% |

H. Tagging and Certificate Reporting System

1. An official numbered certificate or tag provided by LDAF shall accompany each sale of certified sweet potato cuttings and seed roots.

a. When issuing official certificates the grower shall:

- i. send a copy of each completed certificate to LDAF within 10 days after each sale; and
- ii. maintain a copy of each issued certificate on file.

b. A complete record of certified sweet potato cuttings and seed roots sales shall be maintained and made available to LDAF. The record shall include the purchaser's name, the kind and variety/cultivar, the class, the date of shipment, and the number of plants or bushels shipped.

I. Quarantine of Areas Used for Certification

1. If a Sweetpotato weevil is found in any field, greenhouse, seed bed, storage or packing shed, or other structure or area affiliated with the production of certified sweet potatoes or sweet potato plants or within 300 yards of any such structure or area, then the entire area and all structures affiliated with the certification process shall be immediately quarantined in accordance with the Sweetpotato weevil quarantine regulations found in Subchapter C of Part XV of Title 7 of the Louisiana Administrative Code (LAC 7:XV.133 et seq.).

2. If any plant pest or disease subject to regulation or quarantine under Part II or Part III of Chapter 12 of Title 3 of the Louisiana Revised Statutes of 1950, (R.S. 3:1651 et seq.) that may affect sweet potato production is found in any field, greenhouse, seed bed, storage or packing shed, or other structure or area affiliated with the production of certified sweet potatoes or sweet potato plants then the entire area and

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all structures affiliated with the certification process may be subject to quarantine in accordance with applicable law and regulations.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:579 (November 1982), amended LR 9:202 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 22:1210 (December 1996), LR 36:1220 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2725 (October 2013), amended LR 40:755 (April 2014).

§757. Small Grain (Oats, Wheat, Rye) Seed Certification Standards (Formerly §195)

A. Field Standards

| Factor | Breeder | Foundation | Registered | Certified |
|------------------|---------|------------|--------------------|--------------------|
| Land Requirement | 1 yr. | 1 yr. | 1 yr. | 1 yr. |
| Isolation | None | 10 ft. | 10 ft. | 10 ft. |
| Rye | 660 ft. | 660 ft. | 660 ft. | 660 ft. |
| Other Crops | None | None | 10 Plants per Acre | 30 Plants per Acre |
| Other Varieties | None | None | 10 Plants per Acre | 30 Plants per Acre |
| Diseases: | | | | |
| Loose Smut | None | 1.00% | 1.00% | 1.00% |

B. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|------------------|---------|------------|------------|-------------|
| Pure Seed | 98.00% | 98.00% | 98.00% | 97.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% | 3.00% |
| Other Crops | None | 5 seed/lb. | 5 seed/lb. | 10 seed/lb. |
| Other Varieties | None | 1 seed/lb. | 5 seed/lb. | 10 seed/lb. |
| Noxious Weeds: | | | | |
| Johnsongrass | None | None | None | None |
| Cheat and Darnel | None | 6 seed/lb. | 6 seed/lb. | 12 seed/lb. |
| Other Weeds | None | 0.01% | 0.02% | 0.03% |
| Oats | None | 0.02% | 0.05% | 0.10% |
| Germination | None | 85.00% | 85.00% | 85.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:582 (November 1982), amended LR 9:203 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2728 (October 2013).

§759. Sorghum Seed Certification Standards (Formerly §201)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|--|------------|--------------------|------------------------|
| *Land Requirement | 1 yr. | 1 yr. | 1 yr. |
| Isolation | 1,300 ft. | 1,300 ft. | 1,300 ft. |
| Other Varieties | None | 1 Head per 5 Acres | 1 Head per 2 Acres |
| Head Smut | None | 1 Head per Acre | 1 Head per Acre |
| Kernel Smut | None | None | 1 Head per 2,500 Heads |
| *No field will be eligible for certification if it grew sudan grass, broomcorn, or sorghum of another variety the previous year. | | | |

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|------------|
| Pure Seed | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% |
| Other Varieties | None | None | 9 seed/lb. |
| Other Crops | None | 5 seed/lb. | 5 seed/lb. |
| Noxious Weeds | None | None | None |
| Germination | 80.00% | 80.00% | 80.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013).

§761. Soybean Seed Certification Standards (Formerly §203)

A. Field Standards

| Factor | Breeder | Foundation | Registered | Certified |
|---|---------|------------|-------------------|--------------------|
| *Land Requirement | 1 yr. | 1 yr. | 1 yr. | 1 yr. |
| Isolation | | 10 ft. | 10 ft. | 10 ft. |
| Other Varieties | None | None | 3 Plants per Acre | 10 Plants per Acre |
| Noxious Weeds: | | | | |
| Purple Moonflower (Ipomoea turbinata) | None | None | 2 Plants per Acre | 5 Plants per Acre |
| Balloonvine (Cardiospermum halicacabum) | None | None | None | None |
| *Land requirement will be waived if the previous crop was grown from certified seed of the same variety, or of a variety having different plant pubescence or hilum color from the variety to be certified. | | | | |

B. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|-----------------|---------|-------------|-------------|-------------|
| Pure Seed | 98.00% | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% | 2.00% |
| Other Crops | None | 2 seed/lb. | 2 seed/lb. | 5 seed/lb. |
| Other Varieties | None | 2 seed/lb. | 2 seed/lb. | 5 seed/lb. |
| Noxious Weeds | None | None | None | None |
| Other Weeds | 0.05% | 10 seed/lb. | 10 seed/lb. | 10 seed/lb. |
| Germination | None | 80.00% | 80.00% | 80.00% |

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AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:585 (November 1982), amended LR 9:203 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013).

§763. Sugarcane (Tissue Culture) Certification Standards (Formerly §207)

A. Limitation of Stand Eligibility

1. Source of foundation stock is limited only to material obtained from the Louisiana State University Agricultural Center (LSUAC) or USDA-ARS Sugarcane Research Unit sugarcane variety selection programs that has been processed through the LSUAC sugarcane quarantine program.

2. Additional propagation of original foundation stock shall be according to procedures determined by the American Sugar Cane League, LDAF, the LSUAC, and the USDA-ARS Sugarcane Research Unit.

3. Source of registered stock is limited to plantlets produced through tissue culture of foundation material or the first ratoon. Stock that meets all standards except insect and/or weeds standards be maintained in the program as seed increase fields only, but may not be marketed to producers. Such stocks are eligible for re-certification once they come in compliance with applicable regulations.

4. Source of certified stock is limited to:

- a. three consecutive years from planting of registered stock; and
- b. two consecutive harvests of certified stock.

B. Greenhouse Requirements

1. Foundation plants and plantlets shall be kept in certified greenhouses.

2. Certified greenhouses shall comply with the following requirements:

- a. all sugarcane plants within the certified greenhouse must have been processed through the LSUAC sugarcane quarantine program;
- b. greenhouses shall be clearly marked to warn workers that they shall not enter if they are coming from the field or from other non-certified greenhouses;
- c. doors shall be kept locked when the greenhouse is not in use;

d. sticky traps or other monitoring devices shall be used to monitor aphids and other insects;

e. screens of such mesh as to prevent entry of aphids and other insects shall be placed over all openings (vents, fans, windows, etc.);

f. aphids, whiteflies or other harmful insects shall be controlled within the greenhouse;

g. cutting tools shall be decontaminated on a regular basis and always when moving to another group of foundation plants or plantlets;

h. different varieties must be clearly identified and separated.

3. Foundation stock shall be tested on a yearly basis for sugarcane ratoon stunting disease (RSD) and sugarcane yellowleaf virus.

a. Tissue sample testing and protocol shall be provided by the LSU Ag Center Sugarcane Disease Detection Lab. The certifier shall provide to LDAF verification that foundation stock has been tested for sugarcane ratoon stunting disease (RSD) and sugarcane yellowleaf virus.

4. LDAF must approve greenhouses before foundation plants can be entered into the certification program.

5. Inspections

a. Producer shall inspect and/or sample the greenhouse on a regular basis for harmful diseases and insects. If symptomatic plants are found either visually or by sample test results, they will be removed and destroyed. The grower will keep a log showing that inspections were made and if plants were removed.

b. If problems are observed during these inspections the producer should notify LDAF.

c. LDAF may inspect certified greenhouses several times during the year as needed. If symptomatic plants are found during these inspections they must be rogued and disposed of properly.

C. Field Inspections and Sampling

1. At least three field inspections by LDAF inspectors shall be made each year to determine if certified seedcane is being produced that apparently meets field standards.

2. The second inspection to be conducted in June by LDAF inspectors will include the collection of leaf samples for the detection of Sugarcane Yellow Leaf Virus.

3. Individual fields shall be sampled by LDAF inspectors for the detection of Sugarcane Yellow Leaf Virus according to the following guidelines.

| Field Size in Acres | # Leaf Tissue Samples per Field |
|---------------------|---------------------------------|
| Less than 5 Acres * | 25 |

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| | |
|--|----|
| 5 - 10 Acres | 50 |
| Greater than 10 Acres | 75 |
| *Minimum of 25 Leaf Tissue Samples per Field | |

4. Tissue samples shall be submitted to the LSU Ag Center Sugarcane Disease Detection Lab for analysis.

5. LDAF shall have the right to re-inspect, re-sample and re-test fields that are out of tolerance for Sugarcane Yellow Leaf Virus prior to certification.

D. Land Requirements. The land shall be fallowed one summer from the previous crop.

E. Field Standards

| Factor | Foundation | Registered | Certified |
|---|------------|----------------|----------------|
| Isolation | 10 ft. | 10 ft. | 10 ft. |
| Other Varieties (obvious) | None | 1.00% | 1.00% |
| Off-Type (definite) | None | 1.00% | 1.00% |
| Noxious Weeds: | | | |
| Johnsongrass | None | 5 Plants/Acre | 5 Plants/Acre |
| Itchgrass | None | 1 Plant/Acre | 1 Plant/Acre |
| Other Weeds: Browntop panicum (Panicum fasciculatum) | None | 20 Plants/Acre | 20 Plants/Acre |
| Harmful Diseases: | | | |
| *Sugarcane Yellow Leaf Virus | None | 10.00% | 10.00% |
| **Sugarcane Mosaic Virus | None | 10.00% | 10.00% |
| **Sugarcane Smut | None | 0.50% | 0.50% |
| Harmful Insects: | | | |
| Mexican Rice Borer | None | None | None |
| ***Sugarcane Borer | None | 5.00% | 5.00% |
| *Determined by lab analysis for the LSU Sugarcane Disease Detection Lab | | | |
| **Plants exhibiting symptoms | | | |
| ***Determined by percentage of internodes bored | | | |

F. Stock Handling

1. General Requirements

a. During harvest, constant care should be taken in the handling of certified seed to ensure genetic identity and purity.

b. Stock shall be labeled or identified in a manner such as to represent a lot or field.

c. Planting stock shall be subject to inspection by LDAF at any time during the harvest season.

G. Reporting System

1. No certified seed tags will be issued for certified sugarcane stock.

2. The certifier shall be furnished certification forms by the LDAF and shall:

a. issue a copy of the certification form to the purchaser for each load;

b. send a copy of each issued certification form to LDAF within 10 days after each sale; and

c. maintain a copy of each issued certification form on file, which shall be available for examination by LDAF upon request.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, LR 23:1284 (October 1997), amended by the Department of Agriculture and Forestry, Office of the Commissioner, Seed Commission, LR 30:1143 (June 2004), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:1609 (August 2007), LR 36:1223 (June 2010), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2729 (October 2013), amended LR 40:756 (April 2014).

§765. Sunflower Seed Certification Standards (Formerly §209)

A. Field Inspections. Two inspections shall be made of the growing crop, the first at early blooming stage and the second just before harvest. Only one inspection shall be required in the case of open-pollinated varieties.

B. Field Standards

1. Sunflower seed grown for certification shall not be on land that was planted the previous year to sunflower of another variety.

2. The isolation distance between varieties for all classes shall be at least 2,640 feet.

3. Flowering. In a crossing field for the production of hybrid sunflower seeds, the male parent must be in bloom and producing pollen at the time the female parent is in bloom. If the female sunflower heads produce pollen before the male parent heads, then the female pollen must be removed to prevent cross-pollination.

4. Maximum Impurity Tolerances (maximum limits per 1,000 plants)

| Hybrid Production Foundation and Certified | Female Seed Parent | Male Pollinating Parent |
|--|--------------------|-------------------------|
| Maximum (including Off-Types) | 1 | 1 |
| Wild-Type Branching | 1 | 1 |
| Purple Plants | 1 | 1 |
| White Seeded | 1 | 0 |
| Obvious Off-Types | 4 | 4 |

C. Seed Standards

| Factor | Foundation | Registered | Certified |
|--------------|------------|------------|-----------|
| Pure Seed | 99.00% | 99.00% | 98.00% |
| Inert Matter | 1.00% | 1.00% | 2.00% |

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| | | | |
|-----------------|------------|------------|------------|
| Other Crops | None | None | 1 seed/lb. |
| Other Varieties | 1 seed/lb. | 1 seed/lb. | 1 seed/lb. |
| Weed Seeds | None | None | None |
| Germination | 90.00% | 90.00% | 90.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:586 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§§767-779. Reserved.

Subchapter C. Fruits and Vegetables

§781. Okra Seed Certification Standards (Formerly §179)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|-------------------|------------|------------|--------------------|
| *Land Requirement | 1 yr. | 1 yr. | 1 yr. |
| Isolation | 1,320 ft. | 1,320 ft. | 825 ft. |
| Other Varieties | None | None | 1 per 1,250 Plants |
| Off-Type Plants | None | 1.25% | 1.25% |

*Requirement can be waived if previous crop was grown from certified seed of the same variety.

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|-------------|
| Pure Seed | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% |
| Other Varieties | None | None | None |
| Other Crops | None | 5 seed/lb. | 10 seed/lb. |
| Noxious Weeds | None | None | None |
| Other Weeds | 5 seed/lb. | 5 seed/lb. | 5 seed/lb. |
| Germination | 75.00% | 75.00% | 75.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§783. Onion Bulb Seed Certification Standards (Formerly §181)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|------------------|------------|------------|-----------|
| Land Requirement | 1 yr. | 1 yr. | 1 yr. |

| | | | |
|---------------------------------------|-----------|-----------|-----------|
| Isolation | 5,280 ft. | 2,640 ft. | 1,320 ft. |
| Varietal Mixtures and Off-Type Plants | 0.50% | 0.50% | 0.50% |
| Diseases: | | | |
| Onion Mosaic | 1.00% | 1.00% | 1.00% |
| Pink Root | 10.00% | 10.00% | 10.00% |
| Onion Smut | 2.00% | 2.00% | 2.00% |
| Mildew | 5.00% | 5.00% | 5.00% |

B. Field Inspections. Two field inspections shall be made, one after seed heads are formed and one at harvest.

C. Handling and Storage of Bulbs

1. Bulbs must be inspected once at harvest and once in a storage house prior to planting, except that when a grower follows a seed-to-seed system, no bulb inspection shall be necessary.

2. Bulbs of any class must be free from decay; uniform in size, shape, and color; and not to exceed one-half of 1 percent varietal mixture.

D. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|-----------|
| Pure Seed | 99.50% | 99.50% | 98.00% |
| Inert Matter | 0.50% | 0.50% | 2.00% |
| Other Varieties | None | None | None |
| Other Crops | 0.20% | 0.20% | 0.20% |
| Noxious Weeds | None | None | None |
| Germination | 80.00% | 80.00% | 80.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:575 (November 1982), amended LR 9:200 (April 1983), LR 10:737 (October 1984), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 15:613 (August 1989), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2731 (October 2013).

§785. Shallot Seed Certification Standards (Formerly §197)

A. Land Requirement. The unit of certification shall be a field, which must be at least 300 feet from garlic, onions, or uncertified shallots and shall not have been planted to shallots for two previous years.

B. Field Inspections. Three or more inspections shall be made of the shallots while growing.

1. The first inspection shall be in the seed bed, between November 15 and December 15. On first inspection, more than 5 percent severe yellow dwarf shall cause the shallots in the entire plot to be ineligible for certification.

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2. The second inspection shall be after transplanting, during March or April. On second inspection, yellow dwarf infection shall not exceed 1 percent in any area of a unit plot.

3. The third inspection shall be just prior to or at harvest time, generally around May 1 through May 15. A field having in excess of 3 percent plants or irregular growth and maturity and/or more than 3 percent pink root infection shall be ineligible for certification.

C. Storage Requirements

1. There shall be at least one inspection of the seed while in storage between June 15 and July 15.

2. The identity of shallot seed produced in each unit plot must be maintained by the grower.

3. Shallot seed with more than 3 percent storage rot and/or pink root infection shall not be eligible for certification.

4. Seed severely infested with bulb mites shall not be eligible for certification. Seed lightly infested with bulb mites must be treated in a manner prescribed by LDAF before certified permit tags will be issued.

D. Use of Certified Tags for Shallots. Shallot certificate permit tags shall be valid only during the season (June 1 of one year through May 31 of the succeeding year) in which issued and shall be invalid after being used one time only.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013), amended LR 40:756 (April 2014).

§787. Singletary Pea Seed Certification Standards (Formerly §199)

A. Field Standards

| Factor | Foundation | Registered | Certified |
|--------------------------------|-------------------|-------------------|-------------------|
| *Land Requirement | 1 yr. | 1 yr. | 1 yr. |
| Isolation | 12 ft. | 12 ft. | 12 ft. |
| Other Varieties | 3 Plants per Acre | 3 Plants per Acre | 6 Plants per Acre |
| *Land must be free from vetch. | | | |

B. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|-------------|-------------|-------------|
| Pure Seed | 97.00% | 97.00% | 97.00% |
| Inert Matter | 3.00% | 3.00% | 3.00% |
| Other Crops | 2 seed/lb. | 2 seed/lb. | 3 seed/lb. |
| Other Varieties | 2 seed/lb. | 2 seed/lb. | 5 seed/lb. |
| Noxious Weeds | None | None | None |
| Other Weeds | 10 seed/lb. | 10 seed/lb. | 10 seed/lb. |

| | | | |
|-------------|--------|--------|--------|
| Germination | 80.00% | 80.00% | 80.00% |
|-------------|--------|--------|--------|

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:583 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013).

§789. Southern Field Pea (Cowpea) Seed Certification Standards (Formerly §205)

A. Field Standards

| Factor | Breeder | Foundation | Registered | Certified |
|-------------------------------------|---------|-------------------|-------------------|-------------------|
| Land Requirement | 1 yr. | 1 yr. | 1 yr. | 1 yr. |
| Isolation | None | 10 ft. | 10 ft. | 10 ft. |
| Other Varieties and Off-type Plants | None | 3 plants per acre | 3 plants per acre | 3 plants per acre |

B. Seed Standards

| Factor | Breeder | Foundation | Registered | Certified |
|-----------------|---------|------------|------------|------------|
| Pure Seed | 99.00% | 98.00% | 98.00% | 98.00% |
| Inert Matter | 1.00% | 2.00% | 2.00% | 2.00% |
| Other Crops | None | None | None | 1 seed/lb. |
| Other Varieties | None | None | None | 1 seed/lb. |
| Noxious Weeds | None | None | None | None |
| Other Weeds | None | None | None | 1 seed/lb. |
| Germination | 80.00% | 80.00% | 80.00% | 80.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:585 (November 1982), amended LR 9:204 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), LR 23:1284 (October 1997), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2732 (October 2013).

§791. Tomato Seed Certification Standards (Formerly §213)

A. Inspections

- At least two field inspections shall be made.
- One inspection shall be made when crop is at or near full fruit.

B. Field Standards

| Factor | Foundation | Registered | Certified |
|-------------------------------------|------------|------------|-----------|
| Land Requirement | 2 yrs. | 2 yrs. | 2 yrs. |
| Isolation | 200 ft. | 100 ft. | 30 ft. |
| Other Varieties and Off-type Plants | None | 0.05% | 0.10% |

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| | | | |
|-------------------------|-------|-------|-------|
| Tomato Mosaic Virus | 0.20% | 0.20% | 0.50% |
| Bacterial Spot | 0.50% | 1.00% | 1.00% |
| Bacterial Speck | 0.50% | 1.00% | 1.00% |
| Bacterial Canker | None | None | 0.10% |
| Early Blight | 0.50% | 1.00% | 1.00% |
| Phytophthora Foot Rot | 1.00% | 1.00% | 1.00% |
| Septoria Foliage Blight | 0.50% | 1.00% | 1.00% |
| Nailhead Spot | 0.50% | 1.00% | 1.00% |
| Phoma Rot | 0.50% | 1.00% | 1.00% |
| Fusarium Wilt | 1.00% | 1.00% | 1.00% |
| Late Blight | 1.00% | 1.00% | 1.00% |

C. Management. Fields designated for production of any certified class of seed shall have no fruits removed for marketing purposes.

D. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|-----------|
| Pure Seed | 99.00% | 98.00% | 98.00% |
| Inert Matter | 1.00% | 2.00% | 2.00% |
| Other Crops | None | None | 0.01% |
| Other Varieties | None | 0.10% | 0.20% |
| Noxious Weeds | None | None | None |
| Other Weeds | None | 0.01% | 0.03% |
| Germination | 75.00% | 75.00% | 75.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Seed Commission, LR 14:604 (September 1988), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

§793. Watermelon Seed Certification Standards (Formerly §217)

A. Field Inspection

1. The initial inspection will be made before the first blooms are open. At this time, volunteer plants and citron must be removed from the field to be certified and the isolation zone by the grower.

2. The second inspection will be made when the melons are ready to harvest. The presence of any citron plants within 2,640 feet of a unit entered for foundation or registered classes or within 1,320 feet of a unit entered for certified class will disqualify the unit for certification.

B. Field Standards

| Factor | Foundation | Registered | Certified |
|--|------------|------------|-------------------|
| Land Requirement | 1 yr. | 1 yr. | 1 yr. |
| Isolation | 2,640 ft. | 2,640 ft. | 1,320 ft. |
| At Harvest Time: | | | |
| Citron | None | None | None |
| White Heart Fruits | None | 2.00% | 5.00% |
| Total Off-Type Plants or Varietal Mixtures | None | None | 2 Plants per Acre |

| Factor | Foundation | Registered | Certified |
|---|------------|------------|-----------|
| *Plants Free from Fusarium Wilt | 93.00% | 93.00% | 90.00% |
| Plants Free from Anthracnose | 95.00% | 95.00% | 90.00% |
| *Applies to wilt-resistant varieties only | | | |

C. Seed Standards

| Factor | Foundation | Registered | Certified |
|-----------------|------------|------------|------------|
| Pure Seed | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% |
| Other Crops | None | 2 seed/lb. | 5 seed/lb. |
| Other Varieties | None | None | 4 seed/lb. |
| Citron | None | None | None |
| Weed Seeds | None | None | 0.05% |
| Germination | 80.00% | 80.00% | 80.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:588 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

§§795-809. Reserved.

Subchapter D. Tree Seed

§811. Tree Seed Certification Standards (Formerly §215)

A. Classes of Seed

1. Only the following classes of tree seed shall be recognized in tree seed certification:

- certified (blue tag);
- selected (green tag); and
- source-identified (yellow tag).

2. For all classes of forest tree seed, the exact geographic source of the parent trees and the stand must be known. Location of the source shall be given at least down to the section or comparable land survey unit. (Alternatively, in the case of seed from seed orchards containing selected stocks from a number of separate sections, the location of the orchard shall be given and the exact source of its individual components shall be kept on file and furnished on request.)

B. Land Requirements. Elevation to the nearest 500 feet of the original geographic source and the average height and age of the trees from which seed has been collected shall be shown on the tag for all forest tree seed. If available, site index (the capacity of a given site to produce trees as measured by the height of the trees at a specified age) may be recorded instead of tree height and age.

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C. Field Inspection. A field inspection must be made prior to flowering.

D. Field Standards

1. Unit of Certification. An individual tree, clone or stand of trees may be certified in producing certified or selected seed.

2. Isolation. For certified or selected seed, an adequate isolation zone shall be maintained free of off-type plants and other species which might crosspollinate producing trees. There shall be no isolation requirements for source-identified trees.

3. Progeny Testing. All clones used in seed orchards shall be progeny tested.

E. Seed Standards

| Factor | Certified | Select | Source Identified |
|---------------|-----------|--------|-------------------|
| Pure Seed | 98.00% | 98.00% | 98.00% |
| Inert Matter | 2.00% | 2.00% | 2.00% |
| Other Species | 0.01% | 0.01% | 0.50% |
| Germination | 85.00% | 85.00% | 85.00% |

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture, Seed Commission, LR 8:587 (November 1982), amended LR 9:197 (April 1983), amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2733 (October 2013).

Chapter 9. Approved Plant Breeders

§901. Authority (Formerly §223)

A. In accordance with the provisions of part I of chapter II of title 3 of the *Louisiana Revised Statutes* of 1950, the following qualifications herein are prescribed for approving plant breeders for growing and/or supervising the growing of breeder, foundation and/or registered agricultural seeds.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013).

§903. Definition of Terms Used (Formerly §225)

Agricultural Seeds—the seeds and/or propagation materials of grain, forage, cereal, fibre and nut crops and any other crops commonly recognized within the state as horticultural and agricultural field crops.

Approved Plant Breeder—a person qualified in accordance with the requirements set forth herein and approved by the commission.

Breeder Seed—the limited amount of seed used by the plant breeder in actually breeding or maintaining a strain or variety. Breeder seed is always under the direct supervision and control of the plant breeder and is never available for sale and use by the general public. Breeder seed is used for the production of foundation seed. Breeder seed must be tagged with a tag labeled Breeder Seed.

Certificate—an official document signed by the commissioner certifying that the holder is an approved plant breeder.

Commission—the Seed Commission as created in R.S. 3:14.32.

Commissioner—the Commissioner of Agriculture and Forestry of the State of Louisiana.

Entomologist—the LDAF entomologist.

Foundation Seed—the first generation progeny from breeder seed that has been tested for at least three years by the Louisiana Experiment Station, or similar institutions in other states and has proven its merit and has been released for commercial use.

Registered Seed—the first generation progeny from foundation seed that is so handled as to maintain satisfactory genetic identity and purity and has been approved and certified by the certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1431 and R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

§905. Professional Services for which an Approved Plant Breeder is Required (Formerly §227)

A. The supervision of an approved plant breeder is required for the growing of breeder seed according to the requirements of the rules and regulations of the Association of Seed Certifying Agencies.

B. Any individual, firm or corporation desiring to be granted the status of a commercial plant breeding firm must submit to the commission a general outline of their proposed methods of seed production for the breeder class of seed. This outline of methods of production must be approved by the commission. This firm must also have an approved plant breeder who has qualified under §907 of these regulations.

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Production of all breeder seed must be under the direct and active supervision of the plant breeder. This firm's complete plant breeding and seed increase setup must be open to inspection by personnel of the state seed certifying agency.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

**§907. Qualifications for Approved Plant Breeders
(Formerly §229)**

A. To be recognized officially by LDAF as an approved plant breeder, a person must either:

1. hold an advanced degree with plant breeding as a major subject;
2. hold an advanced degree in agronomy or horticulture and show evidence of having at least one year's experience assisting a plant breeder at an experiment station or private seed farm;
3. hold a bachelor's degree in agronomy or horticulture with at least one course in plant breeding and show evidence of at least two years' experience as in Paragraph 2;
4. hold a bachelor's degree in general agriculture, but not qualified under either Paragraphs 1, 2 or 3 above, must pass an examination at the direction of the state entomologist to indicate his knowledge of the subject (especially developing new varieties, variety testing, and increasing pure seed) and must show evidence of two years' experience as under Paragraph 2 (applicants qualifying under this Subsection may supervise the production of the class registered seed only); or
5. must show evidence of competence in the form of the development of a distinct new variety of a crop and produced pure seed of it meeting the requirements for breeder seed. (The person may supervise the production of breeder and/or foundation and/or registered only of the crop variety or varieties developed by him.)

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2734 (October 2013), amended LR 40:756 (April 2014).

**§909. Conditions Governing the Approval of Plant Breeders
(Formerly §231)**

A. Persons desiring to obtain a certificate as an approved plant breeder shall make application to the commission on a form supplied by the state entomologist.

B. Applicants must qualify under the eligibility requirements set forth in §907.

C. Applicants for a certificate qualifying under Paragraphs 1, 2, 3 and 4 of §907 shall supply with their application a copy of his college or university transcript; and in the cases of Paragraphs 2, 3 and 4, affidavits supporting the experience requirements indicated under Paragraph 2; and under Paragraph 5, supply affidavits and/or other documentary evidence supporting the requirements set forth herein.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

**§911. Plant Breeder Examination
(Formerly §233)**

A. Applicants to qualify for certification as plant breeders under §907.A.4, must pass a satisfactory examination, which may be either written or oral, or both, on the principles of plant breeding with special emphasis on the development of new varieties or strains of horticultural and agricultural crops and the handling of them thereafter.

B. Examinations will be given by the state entomologist, or his designee, in his office in Baton Rouge, 10 days or later, at the convenience of the applicant, after the application has been approved by the commission.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

**§913. Issuance and Duration of Certificates
(Formerly §235)**

A. The issuance of certificates of approved plant breeders shall be by the commission after reviewing evidence of the commissioner that the requirements set forth in §909 have been complied with, or by the commissioner with the approval of the commission.

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B. Certificates of recognition of plant breeders shall be valid indefinitely, but may be canceled at any time for cause.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Adopted by the Department of Agriculture, Seed Commission August 1961, amended by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 12:825 (December 1986), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013).

Chapter 11. Adulterated Seed Stock and other Propagating Stock

Subchapter A. Rice Seed Stocks Containing the Presence of LibertyLink Traits

§1101. Planting of Rice Seed Stock with LL Traits (Formerly §301)

A. The following seeds may not be sold, offered for sale, or planted in Louisiana as seed for purposes of producing a new plant, except as otherwise provided by this Chapter.

1. Any portion of any variety of rice that tests positive, according to tolerances established by the department, for LL traits.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013), amended LR 40:757 (April 2014).

§1103. Planting of all Rice Seed Stocks (Formerly §303)

A. Rice seed stocks, where the variety as a whole is found to test positive, according to tolerances established by LDAF, for LL traits may be sold, offered for sale or planted in Louisiana only for the purpose of seed stock increase, subject to the sampling and testing requirements set out in this Chapter.

B. If a portion of a variety of rice seed stock is found to test positive for LL traits, according to tolerances established by LDAF, the portion found to test positive shall be placed under a "stop-sale" order.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 ((December 2007), repromulgated by the Department of Agriculture and Forestry, Office

of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2735 (October 2013), amended LR 40:757 (April 2014).

§1105. Sampling of Rice Seed Stock to Detect LL Traits (Formerly §305)

A. Samples of all rice seed stocks shall be taken by the Louisiana Department of Agriculture and Forestry (LDAF) for testing. LDAF shall conduct the testing or cause the testing to be done in laboratories approved by LDAF. LDAF shall determine the method and manner of sampling and the number of samples that are needed.

B. Each sample must test negative for LL traits according to tolerances established by LDAF.

C. All costs incurred by LDAF in regard to sampling, including but not limited to the taking, transportation, testing, and disposal of samples, shall be paid by the person or entity requesting the sampling.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§1107. Rice Seed Stock Originating from Out-of-State (Formerly §307)

A. All rice seed stocks originating from out-of-state must meet the requirements for sampling, testing, and handling, as established by LDAF.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§1109. Carry-Over Rice Seed Stock (Formerly §309)

A. Any carry-over rice seed stocks that have been processed, repackaged, or otherwise adulterated in any manner that would jeopardize the integrity of the seed lot are subject to the sampling and testing requirements set out in this Chapter.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2592 ((December 2007), repromulgated by the Department of Agriculture and Forestry, Office

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of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013).

**§1111. Stop-Sale
(Formerly §311)**

A. Any lot of rice seed that is subject to the requirements of this Chapter that tests positive for LL traits, according to tolerances established by LDAF, shall be placed under a "stop-sale" order and moved, handled or disposed of only with the express permission of the commissioner or his designate.

AUTHORITY NOTE: Promulgated in accordance with R.S. 3:1433.

HISTORICAL NOTE: Promulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Seed Commission, LR 33:2593 (December 2007), repromulgated by the Department of Agriculture and Forestry, Office of Agricultural and Environmental Sciences, Agricultural Chemistry and Seed Commission, LR 39:2736 (October 2013), amended LR 40:757 (April 2014).

§§1113-1119.Reserved.