

**NOTICE OF INTENT**  
**Department of Agriculture and Forestry**  
**Office of Agricultural and Environmental Sciences**  
**Agricultural Chemistry and Seed Commission**  
  
**Seed Regulations (LAC 7:XIII. 101, 109, 131, 133,**  
**141, 301, 519, 709, 723, 749, 755, and 761)**

In accordance with the Administrative Procedure Act, R.S. 49:950 et seq., notice is hereby given that the Department of Agriculture and Forestry and the Agricultural Chemistry and Seed Commission intend to amend the following regulations related to seeds: LAC 7:XIII.101, 109, 131, 133, 141, 301, 519, 709, 723, 749, 755, and 761.

The proposed Rule change to LAC 7:XIII.101 corrects the reference to the Louisiana Seed Law; adds a definition of hermetically sealed containers; amends the definition of prohibited noxious weed seed; and deletes the definition of Seed Gathered in Elevators. The proposed Rule change to LAC 7:XIII.109 corrects the spelling of certain species names; places yellow nutsedge in alphabetical order; adds Palmer amaranth pigweed as prohibited noxious weed; replaces the red rice species "sativa" with "spp."; adds bracted plantain as a noxious weed and gives allowances; reduces the total number of noxious weed seed allowed in seed lots from 500 to 300 per pound; and reformats table. The proposed Rule change to LAC 7:XIII.131 includes a grammatical change to remove the word "it"; deletes Subsection J and recreates it with a heading; adds wording to regulate the test date requirement for small packages of vegetable seed that are labeled with "packed for year"; creates a new heading for Subsection K; replaces the word "true" with "new" throughout the section; adds "germination percentage" requirement when relabeling; adds option to relabel with "stickers" and "supplemental labels"; adds "test" to the "germination date" statement throughout section; removes the prohibition that an original label cannot be altered; adds requirement in reference to the location of supplemental labeling on seed containers; and reformats section. The proposed Rule changes to LAC 7:XIII.133 deletes portions of the tag analysis requirements that are no longer applicable; adds "Louisiana" to the Seed Law reference; and adds wording to reference the example seed label. The proposed Rule change to LAC 7:XIII.141 deletes outdated USDA reference and adds new correct reference. The proposed Rule change to LAC 7:XIII.301 adds "supplemental labels" to the prohibition. The proposed Rule change to LAC 7:XIII.519 adds wording to allow "substandard germination" labeling of carryover certified seed; and reformats section. The proposed Rule change to LAC 7:XIII.709 changes the word "nutgrass" to "yellow and purple nutsedge". The proposed Rule change to LAC 7:XIII.723 removes the asterisk; removes the wording in subscript denoted by the asterisk; replaces and reformats the wording previously denoted by the asterisk; changes "nutgrass" to "nutsedge"; and relabels headings. The proposed Rule change to LAC 7:XIII.749 changes the name of "curly indigo" to "indian jointvetch". The proposed Rule change to LAC 7:XIII.755 deletes the duplicate table in its entirety. The proposed Rule change to LAC 7:XIII.761 deletes the scientific names of noxious weeds.

**Title 7**  
**AGRICULTURE AND ANIMALS**  
**Part XIII. Seeds**

**Chapter 1. General Provisions**

**Subchapter A. Definitions; Administrative Matters**

**§101. Definitions**

A. The definitions in R.S. 3:1431 and the following definitions are applicable to this Part.

\* \* \*

*Hermetically Sealed Container* – seed containers that meet the requirements of Part 201; §201.36c of the USDA Federal Seed Act Regulations. See 7 CFR 201.36c.

\* \* \*

*Prohibited Noxious Weed Seed*— the seeds of weeds that not only reproduce by 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. These seeds are prohibited from being present in agricultural, vegetable, flower, tree, or shrub seed, or from being sold as a labeled seed kind.

\* \* \*

**Comment [CL1]:** Corrects LA Seed Law reference.

**Comment [CL2]:** Adds definition of "hermetically sealed container".

**Comment [CL3]:** Deletes the term "perennial". Not all prohibited noxious weeds are perennial weeds. Adds wording explaining the prohibitions on noxious weeds listed as "prohibited".

B. The terms defined in R.S. 3:1431 and in this Section have the meaning herein given to them, except where a rule or regulation or the context expressly indicates otherwise.

**Comment [CL4]:** Corrects LA Seed Law reference.

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), amended LR 44:

**§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. There is no tolerance applied to noxious weeds listed as prohibited.

List of Noxious Weeds and Seed Limitations	
Name	Limitations
1. Balloonvine ( <i>Cardiospermum halicacabum</i> )	Prohibited
2. Field Bindweed ( <i>Convolvulus arvensis</i> )	Prohibited
3. Hedge Bindweed ( <i>Calystegia sepium</i> )	Prohibited
4. Itchgrass ( <i>Rottboellia cochinchinensis</i> )	Prohibited
5. Palmer Amaranth Pigweed ( <i>Amaranthus palmeri</i> )	Prohibited
6. Purple Nutsedge ( <i>Cyperus rotundus</i> )	Prohibited
7. Tropical Soda Apple ( <i>Solanum viarum</i> )	Prohibited
8. Yellow Nutsedge ( <i>Cyperus esculentus</i> )	Prohibited
9. Cocklebur ( <i>Xanthium</i> spp.)	5 per lb.
10. Spearhead; Beaksedge ( <i>Rhynchospora</i> spp.)	5 per lb.
11. Purple Moonflower ( <i>Ipomoea muricata</i> )	9 per lb.
12. Red Rice ( <i>Oryza</i> spp.)	9 per lb.
13. Wild Onion and/or Wild Garlic ( <i>Allium</i> spp.)	9 per lb.
14. Morning Glory ( <i>Ipomoea</i> spp.)	18 per lb.
15. Wild Poinsettia ( <i>Euphorbia davidii</i> )	18 per lb.
16. Canada Thistle ( <i>Cirsium arvense</i> )	100 per lb.
17. Dock ( <i>Rumex</i> spp.)	100 per lb.
18. Dodder ( <i>Cuscuta</i> spp.)	100 per lb.
19. Horsenettle ( <i>Solanum carolinense</i> )	100 per lb.
20. Johnsongrass ( <i>Sorghum halepense</i> )	100 per lb.
21. Quackgrass ( <i>Elymus repens</i> )	100 per lb.
22. Russian Knapweed ( <i>Rhaponticum repens</i> )	100 per lb.
23. Sheep Sorrel ( <i>Rumex acetosella</i> )	100 per lb.
24. Silverleaf Nightshade ( <i>Solanum elaeagnifolium</i> )	100 per lb.
25. Wild Mustard and Wild Turnips ( <i>Brassica</i> spp. and <i>Sinapis</i> spp.)	100 per lb.
26. Blueweed, Texas ( <i>Helianthus ciliaris</i> )	200 per lb.
27. Bermudagrass ( <i>Cynodon dactylon</i> )	300 per lb.
28. Bracted Plantain ( <i>Plantago aristata</i> )	300 per lb.
29. Buckhorn Plantain ( <i>Plantago lanceolata</i> )	300 per lb.
30. Cheat ( <i>Bromus secalinus</i> )	300 per lb.
31. Corncockle ( <i>Agrostemma githago</i> )	300 per lb.
32. Darnel; Poison Ryegrass ( <i>Lolium temulentum</i> )	300 per lb.
33. Hairy Chess ( <i>Bromus commutatus</i> )	300 per lb.
34. Hemp Sesbania, Coffeebean, Tall Indigo ( <i>Sesbania exaltata</i> )	300 per lb.
35. Indian Jointvetch ( <i>Aeschynomene indica</i> )	300 per lb.
36. Mexicanweed ( <i>Caperonia castaneifolia</i> )	300 per lb.
Sum of Total Noxious Weed (Subject to limitations above)	300 per lb.

**Comment [CL5]:** Renumbers the table due to the addition of new Noxious Weeds.

**Comment [CL6]:** Corrects spelling of species name.

**Comment [CL7]:** Adds Palmer amaranth Pigweed as a prohibited noxious weed.

**Comment [CL8]:** Adds Yellow Nutsedge back into the table in alphabetical order.

**Comment [CL9]:** Corrects the spelling of the species name for Purple Moonflower.

**Comment [CL10]:** Replaces the species "sativa" with "spp." to include all species of Red Rice as noxious weeds.

**Comment [CL11]:** Adds Bracted Plantain as a noxious weed, and gives allowances.

**Comment [CL12]:** Reduces the total number of noxious weed seed allowed to 300 from 500 per lb.

B. ...

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), LR 43:1895 (October 2017), LR 44:

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

**§131. Analysis Test; Labeling of Seed**

A. - I. ...

**J. Germination Test Date Period**

1. No seed shall be sold or offered for sale more than nine months, exclusive of the month of testing, after the date on any germination label applicable to the seed or seed lot.
2. For all vegetable seed packaged in hermetically sealed containers, this period shall be extended to 24 months, exclusive of the month of testing.
3. For all vegetable seed containers of one pound or less that are labeled with "packed for year", the period shall not exceed the calendar year stated on the package for which the seed was packed for sale. Seed packages labeled in this manner shall not be sold or offered for sale prior to the year for which they were packaged.

**Comment [CL13]:** Creates heading for Item J.

**Comment [CL14]:** Adds new subsection number.

**Comment [CL15]:** Adds new subsection number.

**Comment [CL16]:** Adds new subsection number; adds wording to cover the test date requirements for vegetables packaged in small containers labeled with "packed for year".

**Comment [CL17]:** Creates new subsection for relabeling of seed with expired test date.

**Comment [CL18]:** Replaces the word "true" with "new"; adds "germination percentage" requirement when relabeling.

**Comment [CL19]:** Adds new subsection number; adds "supplemental labels" to the requirement; changes the word "true" to "new"; adds "test" in reference to germination test date.

**Comment [CL20]:** Adds new subsection number; adds requirement of where supplemental labeling can be placed on the seed container.

**Comment [CL21]:** Adds new subsection number; adds "germination percentage" requirement for seed lots that do not meet labeling guarantees.

**Comment [CL22]:** Changes Item number

**K. Relabeling of Seed Lots with Expired Test Dates**

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 new germination percentage, if applicable and germination test date after the seed has been retested.
2. A new tag, label, relabeling sticker, or supplemental label shall be used to state the new germination test date.
3. If relabeling stickers or supplemental labels are used to update the germination information, the month and year of the new germination test date must be stated, as well as the lot number that matches the existing original lot number.
4. Supplemental labels shall be attached to, or in the immediate vicinity of the original label.
5. If the seed lot fails to meet label guarantees, the new germination percentage shall also be stated on the new tag, label, relabeling sticker, or supplemental label.

L. 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;
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), LR 43:1897 (October 2017), LR 44:

**§133. Tag Requirements**

A. The analysis tag shall carry the information required by the Louisiana Seed Law, R.S. 3:1431 *et seq.* using the example below as a labeling guideline.

**Comment [CL23]:** Deletes portions of the statement that is no longer applicable; adds "Louisiana" and reference to Seed Law reference; adds wording to reference the example label.

Kind and Variety

Origin \_\_\_\_\_ 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. - C. ...

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), LR 44:

**§141. Germination Standards for Vegetable Seed**

A. Germination standards for vegetable seed shall be the same as those published under USDA Agricultural Marketing Service Federal Seed Act Regulations Part 201. Minimum germination, which shall also include hard seed, of vegetable or garden seed shall be as follows.

Seed Kind	Percent
Artichoke	60
Asparagus	70
Asparagus bean	75
Bean, garden	70
Bean, lima	70
Bean, runner	75
Beet	65
Broadbean	75
Broccoli	75
Brussels sprouts	70
Burdock, great	60
Cabbage	75
Cabbage, tronchuda	70
Cardoon	60
Carrot	55
Cauliflower	75
Celeriac	55
Celery	55
Chard, Swiss	65
Chicory	65
Chinese cabbage	75
Chives	50
Citron	65
Collards	80
Corn, sweet	75
Cornsalad	70
Cowpea	75
Cress, garden	75
Cress, upland	60
Cress, water	40
Cucumber	80
Dandelion	60
Dill	60
Eggplant	60
Endive	70
Kale	75
Kale, Chinese	75
Kale, Siberian	75
Kohlrabi	75

**Comment [CL24]:** Changes "Where Grown" to "Origin" to harmonize with Seed Law labeling requirements.

**Comment [CL25]:** Deletes outdated USDA reference and adds new correct reference.

Seed Kind	Percent
Leek	60
Lettuce	80
Melon	75
Mustard, India	75
Mustard, spinach	75
Okra	50
Onion	70
Onion, Welsh	70
Pak-choi	75
Parsley	60
Parsnip	60
Pea	80
Pepper	55
Pumpkin	75
Radish	75
Rhubarb	60
Rutabaga	75
Sage	60
Salsify	75
Savory, summer	55
Sorrel	65
Soybean	75
Spinach	60
Spinach, New Zealand	40
Squash	75
Tomato	75
Tomato, husk	50
Turnip	80
Watermelon	70

B. ...

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), LR 43:1897 (October 2017), LR 44:

**Chapter 3. Enforcement of Law and Regulations**

**§301. Acts which Constitute Violations**

A. - A.12. ...

13. using relabeling stickers or supplemental labels 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. - 15. ...

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), LR 44:

**Chapter 5. General Seed Certification Requirements**

**§519. Processing of Certified Seed**

A. - B.4.k. ...

5. Certified seed lots carried over from a previous crop year that fail to meet the minimum required germination percentage for the specific commodity shall have a new certified label affixed to the container. The label shall state the new germination percentage, month and year of test, the wording “Substandard Germination”

**Comment [CL26]:** Adds “supplemental labels” to the requirement when relabeling to harmonize with the new Item K of Section 131.

and all other required label information. These seed lots shall meet the standards set forth in §143. Standards for Agricultural Seed.

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

7. 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.

8. 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.

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

10. 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), LR 42:211 (February 2016), LR 44:

**Chapter 7. Certification of Specific Crops/Varieties**

**Subchapter A. Grasses and Clovers**

**§709. Bermuda and Zoysia Grass Seed Certification Standards**

A. Field Standards

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 Yellow Nutsedge and Purple Nutsedge	None	None	None
*Including all other Bermuda and Zoysia grass that can be differentiated from the variety to be certified			

**Comment [CL27]:** Adds wording to allow "substandard germination" labeling of "carry-over" certified seed.

**Comment [CL28]:** Changes "Nutgrass" to Yellow and Purple Nutsedge to harmonize with the Noxious weed list.

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 Yellow Nutsedge and Purple Nutsedge	None	None	None

C. Seed Standards

Factor	Breeder	Foundation	Registered	Certified
Pure Seed	None	98.00%	98.00%	98.00%

Factor	Breeder	Foundation	Registered	Certified
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), LR 44:

**§723. Turf and Pasture Grass Certification Standards**

A. - A.1. ...

2. Registered shall be the vegetative increase of Foundation seed.
3. ...

B. A grower may increase their acreage of Registered class of seed on their own farm on a limited basis with the approval of LDAF.

**Comment [CL29]:** Replaces the wording previously denoted by asterisk.

C. 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.

D. 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.

E. Field Standards

Factor	Foundation	Registered	Certified
<b>Turf Grasses (Sprigs and Sod)</b>			
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.
<b>Pasture Grass (Sprigs)</b>			
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*); Nutsedge (*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.

F. Planting Stock Standards

Factor	Foundation	Registered	Certified
<b>Turf Grass</b>			
Pure Live Plants	90.00%	90.00%	90.00%
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
<b>Pasture Grass</b>			
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

**Comment [CL30]:** Changes "nutgrass" to "Nutsedge" to harmonize with the Noxious Weed List.

G. 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), LR 44:

**§749. Rice Seed Certification Standards**

A. - A.3. ...

B. Field Standards

Factor	Breeder	Foundation	Registered	Certified
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Land Requirement				
Conventional Varieties	1 yr.	1 yr.	1 yr.	1 yr.
Hybrid Varieties	5 years	5 years	5 years	5 years
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
Indian Jointvetch	None	None	4 Plants per Acre	4 Plants per Acre
*Diseases seriously affecting quality of seed and transmissible by planting stock.				

**Comment [CL31]:** Changes name from “Curly Indigo” to “Indian Jointvetch” to harmonize with the Noxious Weed List.

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, Indian Jointvetch 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.				

**Comment [CL32]:** Changes name from “Curly Indigo” to “Indian Jointvetch” to harmonize with the Noxious Weed List.

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 and Agricultural Chemistry and Seed Commission, LR 39:2724 (October 2013), amended LR 42:212 (February 2016), LR 44:

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

A. - E.3.c. ...

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.

F. - I.2. ...

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), LR 44:

**§761. Soybean Seed Certification Standards**

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	None	None	2 Plants per Acre	5 Plants per Acre
Balloonvine	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. ...

\* \* \*

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), LR 44:

**Family Impact Statement**

The proposed Rule does not have any known or foreseeable impact on family formation, stability, and autonomy. In particular, the proposed Rule has no known or foreseeable impact on:

- (1) the stability of the family;
- (2) the authority and rights of persons regarding the education and supervision of their children;
- (3) the functioning of the family;
- (4) family earnings and family budget;
- (5) the behavior and personal responsibility of children;
- (6) the ability of the family or a local government to perform the function as contained in the proposed Rule.

**Poverty Impact Statement**

The proposed Rule does not have any known or foreseeable impact on any child, individual or family as defined by R.S. 49:973(B). In particular, there should be no known or foreseeable effect on:

- (1) the effect on household income, assets, and financial security;

- (2) the effect on early childhood development and preschool through postsecondary education development;
- (3) the effect on employment and workforce development;
- (4) the effect on taxes and tax credits;
- (5) the effect on child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

**Small Business Statement**

The proposed Rule will have no adverse impact on small businesses as defined in the Regulatory Flexibility Act.

**Provider Impact Statement**

The proposed Rule does not have any known or foreseeable impact on providers as defined by HCR 170 of the 2014 Regular Legislative Session. In particular, there should be no known or foreseeable effect on:

- (1) the effect on the staffing level requirements or qualifications required to provide the same level of service;
- (2) the total direct and indirect effect on the cost to the providers to provide the same level of service; or
- (3) the overall effect on the ability of the provider to provide the same level of service.

**Public Comments**

Interested persons may submit written comments, data, opinions and arguments regarding the proposed Rule. Written submissions must be directed to Lester Cannon, Department of Agriculture and Forestry, 5825 Florida Blvd., Suite 3004, Baton Rouge, LA 70806 and must be received no later than 12:00 p.m. on August 4, 2018. No preamble is available.

Mike Strain, DVM  
Commissioner of Agriculture and Forestry